

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

One Hundred-fourteenth Legislative Day Thursday, May 3, 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--64.

8 Excused for Legislative Business--Representative Kester--1.

9 Present after roll call--Representative Kester.

10
11 The Speaker declared a quorum present.

12
13
14 On motion of Representative Rippey, the reading of the journal of May 2,
15 2001, was declared dispensed with and approved as corrected by the
16 Chief Clerk.

17
18
19

REPORTS OF COMMITTEES OF REFERENCE

20
21
22 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

25
26 **HJR01-1048** be amended as follows, and as so amended, be referred out
27 for final action:

28
29 Amend printed joint resolution, page 1, strike lines 1 through 18.

30
31 Strike pages 2 and 3 and substitute the following:

32
33 "WHEREAS, President William Jefferson Clinton did create the
34 Canyons of the Ancients National Monument by proclamation on June 9,
35 2000; and

36
37 WHEREAS, On June 29, 2000, the Governors from 10 western
38 states, including Colorado Governor Bill Owens, signed a letter of protest
39 against new monuments; and

40
41 WHEREAS, A citizen's petition to revoke and annul the June 9,
42 2000, proclamation that created the Canyons of the Ancients National
43 Monument was signed by 4,000 citizens and contains numerous legal
44 objections to the monument designation; and

45

1 WHEREAS, The Ute Mountain Ute Tribe, the Aneth Chapter of
2 the Navajo Nation, the Southwestern Colorado Livestock Association, the
3 Southwestern Colorado Landowners Association, Inc., the San Juan Basin
4 Farm Bureau, the Southwestern Cowbells, the Inholders, the Dolores
5 Water Conservancy District, the San Juan County Commissioners, and
6 the Coalition of Arizona/New Mexico Counties For Stable Economic
7 Growth have either issued resolutions opposing creation of, or expressed
8 concerns about, the new monument; and
9

10 WHEREAS, The presidential proclamation of June 9, 2000,
11 included approximately 18,500 acres of private lands and resources that
12 are designated for acquisition; and
13

14 WHEREAS, The Ute Mountain Ute Tribe has tribal lands and
15 resources obtained through treaty within the monument area; and
16

17 WHEREAS, The Ute Mountain Ute Tribe and several other native
18 American nations have secured rights in and to the cultural, religious, and
19 sacred sites within the monument area; and
20

21 WHEREAS, The native American nations were not notified or
22 consulted about the withdraw and designation of the monument; and
23

24 WHEREAS, The monument was created after six public meetings
25 where the public showed overwhelming opposition to any changes in the
26 management of the Anasazi Area of Critical Environmental Concern; and
27

28 WHEREAS, The Bureau of Land Management's documentation
29 states, "After careful evaluation of the resources recognized in the ACEC
30 (Area of Critical Environmental Concern) nominations, it was determined
31 that their protection will be substantially equivalent under either
32 Monument authority or ACEC designation,..."; and
33

34 WHEREAS, Gross sales of oil, gas, carbon dioxide, and
35 agricultural products within or adjacent to the monument exceed \$130
36 million per year; and
37

38 WHEREAS, The land produces alfalfa, fruit, wheat, beans, corn,
39 livestock, and other agricultural products; and
40

41 WHEREAS, Local citizens have invested millions of dollars for
42 the development and maintenance of infrastructure on federal land and
43 adjacent to the monument; and
44

45 WHEREAS, Local carbon dioxide extraction produces 830 million
46 cubic feet of 98% pure carbon dioxide per day and is 100% of the carbon
47 dioxide produced in Colorado and the annual gross sales of carbon
48 dioxide was valued at \$72,364,639; and
49

50 WHEREAS, The carbon dioxide produced from the gas dome
51 within the monument is needed for the production of 5% of domestic oil
52 production in the lower 48 states and is also used in the production of
53 75,000 tons of dry ice and a propellant for fire extinguishers; and
54

55 WHEREAS, The sale of oil and natural gas from the area grosses
56 \$8,600,000 annually; and

1 WHEREAS, The United States Congress has the authority, acting
2 by bill, to revoke and annul the June 9, 2000, proclamation that created
3 the Canyons of the Ancients National Monument; now, therefore,
4

5 *Be It Resolved by the House of Representatives of the Sixty-third*
6 *General Assembly of the State of Colorado, the Senate concurring*
7 *herein:*
8

9 (1) That the General Assembly opposes the presidential
10 proclamation of June 9, 2000, and the designation of the Anasazi Area of
11 Critical Environmental Concern as the Canyons of the Ancients National
12 Monument;
13

14 (2) That the General Assembly requests, encourages, and urges
15 the President of the United States to support the revocation and
16 annulment of the June 9, 2000, proclamation that created the Canyons of
17 the Ancients National Monument;
18

19 (3) The General Assembly requests, encourages, and urges the
20 Secretary of Interior to support the revocation and annulment of the June
21 9, 2000, proclamation that created the Canyons of the Ancients National
22 Monument; and
23

24 (4) That the General Assembly requests, encourages, and urges
25 the Congress to act by bill to revoke the June 9, 2000, proclamation that
26 created the Canyons of the Ancients National Monument.
27

28 *Be It Further Resolved, That copies of this Joint Resolution be*
29 *transmitted to the President of the United States of America, the Secretary*
30 *of the Interior, the President of the United States Senate, the Speaker of*
31 *the United States House of Representatives, and each member of*
32 *Colorado's delegation to the United States Congress."*
33
34
35

36 **SB01-002** be postponed indefinitely.
37
38

39 **SB01-228** be amended as follows, and as so amended, be referred to
40 the Committee on Appropriations with favorable
41 recommendation:
42

43 Amend reengrossed bill, page 4, line 17, after the period, insert the
44 following:
45

46 "CONTEMPORANEOUSLY WITH NOTIFYING THE OWNERS, THE APPLICANT
47 SHALL SEND A COPY OF THE NOTICE TO REGISTERED HOMEOWNERS'
48 ASSOCIATIONS THAT HAVE SUBMITTED A WRITTEN REQUEST FOR SUCH
49 NOTICE PRIOR TO THE FILING OF THE APPLICATION WITH THE COMMISSION
50 AND THE BOARD OF COUNTY COMMISSIONERS IN THE COUNTY WHERE THE
51 UNDERGROUND NATURAL GAS STORAGE CAVERN IS LOCATED."
52
53
54
55

1 **APPROPRIATIONS**

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

4
5 **HB01-1240** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend the Agriculture, Livestock, and Natural Resources Committee
10 Report, dated February 21, 2001, page 1, line 6, strike
11 "REPRESENTATIVES." and substitute "REPRESENTATIVES.";

12
13 after line 6, insert the following:
14 "strike lines 24 through 26 and substitute the following:

15
16 "(6) THE COMMITTEE SHALL HOLD NO MORE THAN FOUR MEETINGS
17 IN ANY YEAR DURING THE INTERIM PERIOD BETWEEN REGULAR SESSIONS
18 OF THE GENERAL ASSEMBLY.";

19
20 strike lines 10 and 11 of the committee report and substitute the
21 following:

22
23 "strike lines 15 through 20.

24
25 Renumber succeeding sections accordingly.

26
27 Page 1, strike lines 102 and 103 and substitute the following:
28 "REVIEW COMMITTEE.".

29

30

31

32

33 **EDUCATION**

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

36
37 **HB01-1406** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40
41 Amend printed bill, page 2, line 9, after "UNIVERSITY", insert "TO
42 COLORADO STATE UNIVERSITY - PUEBLO".

43

44

45

46 **SB01-222** be referred favorably to the Committee on Appropriations.

47

48

49

50

51 **FINANCE**

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

54
55 **HB01-1403** be referred to the Committee of the Whole with favorable
56 recommendation.

1 **HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS**

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

4
5 **HB01-1399** be postponed indefinitely.

6
7
8 **HB01-1401** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11
12 Amend printed bill, page 2, strike line 9, and substitute "PLAN, THE STATE
13 MEDICAL ASSISTANCE PROGRAM, OR THE COLORADO INDIGENT CARE
14 PROGRAM. THEREFORE, THE".

15
16 Page 3, line 12, strike "PROGRAMS" and substitute "HEALTH CARE
17 PROGRAM".

18
19
20
21 **SB01-063** be amended as follows, and as so amended, be referred to
22 the Committee on Appropriations with favorable
23 recommendation:

24
25 Amend reengrossed bill, page 3, line 19, strike "FEBRUARY 1, 2002," and
26 substitute "THE IMPLEMENTATION OF THE PROGRAM AND BEFORE JULY 1,
27 2005,".

28
29 Page 5, line 11, after "APPROVAL.", add "THE IMPLEMENTATION OF THE
30 PROGRAM IS SUBJECT TO SUCH APPROVAL OF THE AMENDMENT TO THE
31 STATE'S MEDICAL ASSISTANCE PLAN.";

32
33 line 17, after "SECTION.", add "NOTHING IN THIS SECTION SHALL OBLIGATE
34 OR DIRECT ANY STATE GOVERNMENTAL ENTITY TO SECURE MONEYS FROM
35 A NONPROFIT HEALTH FOUNDATION OR ANY PRIVATE ENTITY FOR THE
36 IMPLEMENTATION OF THE PROGRAM. IF ANY STATE GOVERNMENTAL
37 ENTITY WORKS TO SECURE MONEYS FOR THE PROGRAM, SUCH ENTITY
38 SHALL BE REIMBURSED FROM SUCH MONEYS SECURED FOR ANY ACTUAL
39 AND NECESSARY EXPENSES INCURRED.".

40
41 Page 6, line 17, after "(9)", insert "(a)";

42
43 after line 17, insert the following:

44
45 "(b) PRIOR TO ITS REPEAL THE BREAST AND CERVICAL CANCER
46 TREATMENT PROGRAM SHALL BE REVIEWED PURSUANT TO SECTION
47 24-34-104, C.R.S.

48
49 **SECTION 3.** 24-34-104 (37), Colorado Revised Statutes, is
50 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

51
52 **24-34-104. General assembly review of regulatory agencies and**
53 **functions for termination, continuation, or reestablishment.** (37) The
54 following agencies, functions, or both, shall terminate on July 1, 2006:
55

1 (d) REVIEW OF THE BREAST AND CERVICAL CANCER PREVENTION
2 AND TREATMENT PROGRAM PURSUANT TO SECTION 26-4-532, C.R.S.".

3
4 Renumber succeeding section accordingly.
5
6
7
8

9 **LOCAL GOVERNMENT**

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

12
13 **HB01-1407** be amended as follows, and as so amended, be referred to
14 the Committee on Appropriations with favorable
15 recommendation:
16

17 Amend printed bill, strike everything below the enacting clause and
18 substitute the following:
19

20 "SECTION 1. Article 45 of title 8, Colorado Revised Statutes, is
21 amended BY THE ADDITION OF A NEW SECTION to read:
22

23 **8-45-125. Sale review commission - creation - study of the**
24 **feasibility of selling the assets of the Colorado compensation insurance**
25 **authority to an acquiring entity - conditions - report to the general**
26 **assembly.** (1) (a) THERE IS HEREBY CREATED A COMMISSION WITHIN THE
27 DIVISION OF INSURANCE OF THE DEPARTMENT OF REGULATORY AGENCIES
28 TO STUDY THE FEASIBILITY OF SELLING THE COLORADO COMPENSATION
29 AUTHORITY TO AN ACQUIRING ENTITY. THE COMMISSION SHALL HAVE NINE
30 MEMBERS. THREE MEMBERS SHALL BE APPOINTED BY THE GOVERNOR, ONE
31 MEMBER SHALL BE THE COMMISSIONER OF INSURANCE OR THE
32 COMMISSIONER'S DESIGNEE, ONE MEMBER SHALL BE THE STATE AUDITOR
33 OR THE AUDITOR'S DESIGNEE, ONE MEMBER SHALL BE APPOINTED BY THE
34 PRESIDENT OF THE SENATE, ONE MEMBER SHALL BE APPOINTED BY THE
35 MINORITY LEADER OF THE SENATE, ONE MEMBER SHALL BE APPOINTED BY
36 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND ONE MEMBER
37 SHALL BE APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF
38 REPRESENTATIVES. OF THE THREE MEMBERS APPOINTED BY THE
39 GOVERNOR, ONE MEMBER SHALL REPRESENT WORKERS' COMPENSATION
40 CLAIMANTS, ONE MEMBER SHALL REPRESENT INSURERS, AND ONE MEMBER
41 SHALL BE AN INVESTMENT BANKER. THE APPOINTMENTS SHALL BE MADE
42 ON OR BEFORE JUNE 30, 2001.
43

44 (b) COMMISSION MEMBERS SHALL SERVE WITHOUT
45 COMPENSATION, BUT SHALL BE ENTITLED TO REIMBURSEMENT FOR ACTUAL
46 AND NECESSARY EXPENSES IN CARRYING OUT THEIR DUTIES UNDER THIS
47 SECTION.
48

49 (2) THE COMMISSION SHALL STUDY ALL ASPECTS OF THE POSSIBLE
50 SALE OF ALL OR SUBSTANTIALLY ALL OF THE ASSETS OF THE COLORADO
51 COMPENSATION INSURANCE AUTHORITY TO AN ACQUIRING ENTITY, WITH
52 THE ASSUMPTION OF ALL OR SUBSTANTIALLY ALL OF THE LIABILITIES OF
53 THE AUTHORITY BY THE ACQUIRING ENTITY, SUBJECT TO THE FOLLOWING:
54

55 (a) THE COMMISSION MAY OBTAIN AN OPINION OF A NATIONALLY
56 RECOGNIZED INVESTMENT BANKING FIRM THAT THE CONSIDERATION FOR

1 THE SALE OF THE ASSETS OF THE COLORADO COMPENSATION INSURANCE
2 AUTHORITY IS FAIR FROM A FINANCIAL POINT OF VIEW.

3

4 (b) THE COMMISSION MAY OBTAIN AN OPINION OF A NATIONALLY
5 RECOGNIZED ACTUARIAL FIRM THAT THE ASSETS OF THE COLORADO
6 COMPENSATION INSURANCE AUTHORITY TO BE SOLD TO AN ACQUIRING
7 ENTITY ARE ADEQUATE TO PERMIT THE PAYMENT OF ALL LIABILITIES
8 UNDER POLICIES OF INSURANCE ASSUMED BY THE ACQUIRING ENTITY,
9 BASED UPON SOUND ACTUARIAL PRINCIPLES.

10

11 (c) THE COMMISSION MAY CONSULT WITH OR RECEIVE
12 INFORMATION OR RECOMMENDATIONS FROM THE INSURANCE
13 COMMISSIONER OR ANY OTHER PERSON CONSIDERED APPROPRIATE, FOR
14 PURPOSES OF ASSISTING IN THE STUDY.

15

16 (3) NOTWITHSTANDING ANY OTHER LAW TO THE CONTRARY, THE
17 COMMISSION, IN FURTHERANCE OF THE STUDY AUTHORIZED UNDER THIS
18 SECTION, SHALL HAVE ACCESS TO ALL RECORDS MAINTAINED BY THE
19 COLORADO COMPENSATION INSURANCE AUTHORITY AND THE COLORADO
20 COMPENSATION INSURANCE AUTHORITY SHALL PROVIDE SUCH ACCESS.

21

22 (4) THE COMMISSION SHALL STUDY THE IMPACTS THE SALE OF THE
23 COLORADO COMPENSATION INSURANCE AUTHORITY MIGHT HAVE ON
24 THOSE PERSONS WHO ARE CURRENTLY INSURED THROUGH THE AUTHORITY
25 BECAUSE IT IS THE INSURER OF LAST RESORT. THE COMMISSION SHALL
26 DETERMINE WHAT COST-EFFECTIVE ALTERNATIVES EXIST, IF ANY, FOR
27 THOSE INSURED THROUGH THE COLORADO COMPENSATION INSURANCE
28 AUTHORITY.

29

30 (5) BEFORE THE SALE OF THE COLORADO COMPENSATION
31 INSURANCE AUTHORITY MAY OCCUR, THE COMMISSION SHALL MAKE A
32 FINDING BASED UPON INVESTIGATION THAT THE SALE SHALL NOT HAVE AN
33 ADVERSE IMPACT ON THE RATES OR AVAILABILITY OF WORKERS'
34 COMPENSATION INSURANCE AND EMPLOYER'S LIABILITY INSURANCE TO
35 THE PEOPLE OF THE STATE OF COLORADO.

36

37 (6) THE COMMISSION SHALL MAKE A REPORT TO THE GOVERNOR
38 AND THE GENERAL ASSEMBLY NO LATER THAN NOVEMBER 15, 2001. SUCH
39 REPORT MAY INCLUDE RECOMMENDATIONS FOR LEGISLATION. ANY
40 LEGISLATION RECOMMENDED BY THE COMMISSION SHALL BE TREATED AS
41 LEGISLATION RECOMMENDED BY AN INTERIM COMMITTEE FOR PURPOSES
42 OF ANY INTRODUCTION DEADLINES OR BILL LIMITATIONS IMPOSED.

43

44 **SECTION 2. Safety clause.** The general assembly hereby finds,
45 determines, and declares that this act is necessary for the immediate
46 preservation of the public peace, health, and safety."

47

48 Page 1, strike lines 102 through 107 and substitute the following:

49

50 "AUTHORITY."

51

52

53

54

55

1 **TRANSPORTATION & ENERGY**

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

4
5 **SB01-217** be referred to the Committee of the Whole with favorable
6 recommendation.
7
8
9

10 **DELIVERY OF BILLS TO GOVERNOR**

11
12 The Chief Clerk of the House of Representatives reports the following
13 bills have been delivered to the Office of the Governor: **HB01-1156,**
14 **1307, 1363** at 1:27 p.m. on May 2, 2001.
15
16
17

18 **MESSAGES FROM THE SENATE**

19 Mr. Speaker:

20
21 The Senate has passed on Third Reading and returns herewith
22 HB01-1205, 1294, 1191.
23

24 The Senate has adopted and returns herewith: HJR01-1033, 1039, 1040.
25

26 The Senate has passed on Third Reading and transmitted to the Revisor
27 of Statutes:

28
29 SB01-214, amended as printed in Senate Journal, May 1, pages
30 1098-1099;

31 HB01-1271, amended as printed in Senate Journal, May 1, page 1090;

32 HB01-1229, amended as printed in Senate Journal, May 1, pages
33 1094-1095;

34 HB01-1090, amended as printed in Senate Journal, May 1, page 1095;

35 HB01-1344, amended as printed in Senate Journal, May 1, page 1095;

36 HB01-1272, amended as printed in Senate Journal, May 1, page 1095;

37 HB01-1086, amended as printed in Senate Journal, May 1, page 1097;

38 HB01-1298, amended as printed in Senate Journal, May 1, pages
39 1097-1098 and May 2;

40 HB01-1130, amended as printed in Senate Journal, May 1, page 1098
41 and May 2;

42 HB01-1263, amended as printed in Senate Journal, May 1, page 1099;

43 HB01-1269, amended as printed in Senate Journal, May 1, pages
44 1099-1100;

45 HB01-1155, amended as printed in Senate Journal, May 1, page 1100;

46 HB01-1184, amended as printed in Senate Journal, May 1, pages
47 1100-1101.
48
49

50 In response to the request of the House for a Conference Committee on
51 HB01-1260, the President appointed Senators Windels, Chm., Dyer
52 (Arapahoe) and Gordon as members of the First Conference Committee
53 on the part of the Senate.
54
55
56

1 **MESSAGE FROM THE REVISOR**

2
3 We herewith transmit without comment, as amended, SB01-214,
4 HB01-1271, 1229, 1090, 1344, 1272, 1086, 1298, 1130, 1263, 1269,
5 1155, and 1184.

6
7
8 **INTRODUCTION OF BILL**
9 **First Reading**

10
11 The following bill was read by title and referred to the committees
12 indicated:

13
14 **SB01-214** by Senator(s) Dyer (Durango); also Representative(s)
15 Hoppe--Concerning the application of state air quality
16 standards to the use of prescribed fire for management
17 activities within the state, and making an appropriation
18 therefor.

19 Committee on Agriculture, Livestock, & Natural Resources
20 Committee on Appropriations

21
22
23
24 **CONSIDERATION OF RESOLUTIONS**

25
26 **HJR01-1037** by Representative(s) Spence, Sanchez; also Senator(s)
27 Reeves, Anderson--Concerning recognition of the
28 achievements of Girls Incorporated.

29
30 (Printed and placed in member's file; report also printed in House Journal
31 April 19, pages 1296-1297.)

32
33 On motion of Representative Spence, the resolution was read at length
34 and **adopted** by **viva voce** vote.

35
36 Co-sponsors added: Representatives Bacon, Boyd, Coleman, Daniel, Fritz,
37 Garcia, Groff, Grossman, Hodge, Hoppe, Mace, Madden, Marshall, Miller,
38 Rippy, Scott, Smith, Snook, Spradley, Stafford, Swenson, Tapia, Tochtrop,
39 Veiga, Vigil, Weddig, Williams T., Witwer.

40
41 **HJR01-1052** by Representative(s) Boyd, Alexander, Borodkin,
42 Hefley, Hodge, Hoppe, Jahn, Mace, Madden, Marshall,
43 Ragsdale, Rhodes, Spradley, Tochtrop, Veiga, Williams
44 S., Williams T.; also Senator(s) Windels--Concerning the
45 recognition of Girls' Day in Colorado.

46
47 (Printed and placed in member's file; report also printed in House Journal
48 April 19, page 1319.)

49
50 On motion of Representative Boyd, the resolution was read at length and
51 **adopted** by **viva voce** vote.

52
53 Co-sponsors added: Representatives Bacon, Cadman, Chavez, Coleman, Daniel,
54 Decker, Garcia, Groff, Grossman, Jameson, Larson, Lawrence, Miller, Rippy,
55 Romanoff, Saliman, Sanchez, Scott, Sinclair, Smith, Snook, Stafford, Tapia,
56 Vigil, Webster, Weddig, Witwer.

1 **SJR01-010** by Senator(s) Hagedorn, Andrews, Cairns, Gordon,
2 Hernandez, Lamborn, May, Musgrave, Perlmutter, Takis;
3 also Representative(s) Grossman, Borodkin, Cadman,
4 Cloer, Coleman, Crane, King, Lee, Paschall, Romanoff,
5 Saliman, Scott, Stengel, Tapia, Tochtrop--Concerning
6 violence in the Middle East.

7
8 (Printed and placed in member's file.)
9

10 On motion of Representative Grossman, the resolution was read at length.

11
12 Under House Rule 43(d), the Speaker ordered the correct version of the
13 resolution printed in the House Journal.

14
15 WHEREAS, Colorado's Jewish community and many other
16 Coloradans are concerned that renewed violence in Israel during the past
17 several months has jeopardized Middle East peace, American security
18 interests, and the very survival of Israel itself; and
19

20 WHEREAS, The state of Israel has been throughout its history the
21 closest ally of the United States in the Middle East; and
22

23 WHEREAS, The state of Israel came into being by a vote of the
24 United Nations following the atrocities of the Second World War; and
25

26 WHEREAS, Israel's right to exist was originally opposed by the
27 neighboring countries and many Palestinians; and
28

29 WHEREAS, Israel has had to defend its right to exist through
30 numerous wars and uprisings; and
31

32 WHEREAS, The United States has been a consistent supporter of
33 Israel; and
34

35 WHEREAS, Presidents of both political parties of the United
36 States have supported Israel militarily and facilitated peace negotiations;
37 and
38

39 WHEREAS, Israel's lasting security and peace in the Middle East
40 ultimately will be arrived at only through negotiation and a peace process
41 that recognizes the rights and essential humanity of both Israelis and
42 Palestinians; now, therefore,
43

44 *Be It Resolved by the Senate of the Sixty-third General Assembly*
45 *of the State of Colorado, the House of Representatives concurring herein:*
46

47 (1) That the General Assembly proclaims its support for Israel
48 and recognizes the right of the state of Israel to exist and prosper;
49

50 (2) That peace, autonomy, and democratic forms of government
51 can only come from negotiations and not from violence; and
52

53 (3) That the General Assembly and the people of the State of
54 Colorado stand for peaceful resolution in this time of crisis.
55

56 *Be It Further Resolved*, That copies of this Resolution be sent to

1 President George W. Bush and to the members of the congressional
2 delegation representing the State of Colorado.

3
4 On motion of Representative Grossman, the resolution was **adopted** by
5 **viva voce** vote.

6
7 Co-sponsors added: Representatives Alexander, Bacon, Berry, Boyd, Chavez,
8 Clapp, Daniel, Decker, Fairbank, Fritz, Garcia, Groff, Hefley, Hoppe, Jahn,
9 Jameson, Johnson, Larson, Lawrence, Mace, Madden, Marshall, Miller,
10 Mitchell, Nuñez, Plant, Ragsdale, Rhodes, Rippy, Sanchez, Smith, Snook,
11 Stafford, Veiga, Vigil, Webster, Williams S., Williams T., Young, Mr. Speaker.

12
13 **HR01-1015** by Representative(s) Mitchell--Concerning support for the
14 review and amendment of federal regulations governing
15 mining on public lands.

16
17 (Printed and placed in member's file; report also printed in House Journal
18 April 19, pages 1310-1312.)

19
20 On motion of Representative Mitchell, the resolution was **adopted** by the
21 following roll call vote:

22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42
	YES 45	NO 18	EXCUSED 1		ABSENT 1															
25	Alexander	Y	Groff	N	Miller	Y	Spence	Y												
26	Bacon	N	Grossman	N	Mitchell	Y	Spradley	Y												
27	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y												
28	Borodkin	N	Hodge	N	Paschall	Y	Stengel	Y												
29	Boyd	Y	Hoppe	Y	Plant	N	Swenson	Y												
30	Cadman	Y	Jahn	N	Ragsdale	N	Tapia	Y												
31	Chavez	N	Jameson	N	Rhodes	Y	Tochtrop	Y												
32	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	N												
33	Cloer	Y	Kester	E	Romanoff	N	Vigil	N												
34	Coleman	Y	King	Y	Saliman	N	Webster	Y												
35	Crane	Y	Larson	Y	Sanchez	-	Weddig	N												
36	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y												
37	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y												
38	Fairbank	Y	Mace	N	Sinclair	Y	Williams T.	Y												
39	Fritz	Y	Madden	N	Smith	Y	Witwer	Y												
40	Garcia	Y	Marshall	N	Snook	Y	Young	Y												
41							Mr. Speaker	Y												

43 Co-sponsors added: Representatives Alexander, Cadman, Crane, Fritz, Hefley,
44 Hoppe, Johnson, Lee, Miller, Nuñez, Paschall, Rippy, Schultheis, Snook, White,
45 Young.

49 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

50
51 On motion of Representative Spradley, the rules were suspended for
52 immediate consideration of Senate amendments to the following bills:

53
54 **HB01-1155** by Representative(s) Stengel, Fairbank, Lawrence, Lee,
55 Mitchell, Stafford, White, Williams S., Young; also
56 Senator(s) Hagedorn--Concerning the availability of

1 information concerning sexual offenders, and making an
2 appropriation in connection therewith.

3
4 (Amended as printed in Senate Journal, May 1, page 1100.)

5
6 Representative Stengel moved that the House **not concur** in Senate
7 amendments and that a Conference Committee be appointed with permis-
8 sion to go beyond the scope of the differences between the House and the
9 Senate. The motion was declared **passed** by the following roll call vote:

10
11 YES 64 NO 0 EXCUSED 1 ABSENT 0

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

30
31 The Speaker appointed Representatives Stengel, Chairman, Mitchell and
32 Coleman as House conferees to the bill.

33
34 **HB01-1264** by Representative(s) Stafford; also Senator(s) Hagedorn--
35 Concerning child support obligations, and making an
36 appropriation in connection therewith.

37
38 (Amended as printed in Senate Journal, April 30, pages 1079-1080.)

39
40 Representative Stafford moved that the House **not concur** in Senate
41 amendments and that a Conference Committee be appointed. The motion
42 was declared **passed** by the following roll call vote:

43
44 YES 64 NO 0 EXCUSED 1 ABSENT 0

45								
46	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
47	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
48	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
49	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
50	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
51	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
52	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
53	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
54	Cloer	Y	Kester	E	Romanoff	Y	Vigil	Y
55	Coleman	Y	King	Y	Saliman	Y	Webster	Y
56	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y

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

7
8 The Speaker appointed Representatives Stafford, Chairman, Clapp and
9 Jahn as House conferees to the bill.

10
11 **HB01-1298** by Representative(s) Berry; also Senator(s) Tate--
12 Concerning creation of a statewide common course
13 numbering system for the transfer of course credits among
14 state-supported institutions of higher education.

15
16 (Amended as printed in Senate Journal, May 1, pages 1097-1098 and
17 May 2, page 1108.)

18
19 Representative Berry moved that the House **not concur** in Senate
20 amendments and that a Conference Committee be appointed. The motion
21 was declared **passed** by the following roll call vote:

22	23	YES	64	NO	0	EXCUSED	1	ABSENT	0
24	25	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
	26	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
	27	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
	28	Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
	29	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
	30	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
	31	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
	32	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
	33	Cloer	Y	Kester	E	Romanoff	Y	Vigil	Y
	34	Coleman	Y	King	Y	Saliman	Y	Webster	Y
	35	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
	36	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
	37	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
	38	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
	39	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
	40	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
	41							Mr. Speaker	Y

42
43 The Speaker appointed Representatives Berry, Chairman, Hefley and
44 Daniel as House conferees to the bill.

45
46 **HB01-1086** by Representative(s) Alexander, Coleman, Hodge,
47 Johnson, Snook, Webster; also Senator(s) Dyer (Durango)-
48 -Concerning the creation of the agriculture value-added
49 development fund program, and making an appropriation
50 in connection therewith.

51
52 (Amended as printed in Senate Journal, May 1, page 1097.)

53
54 Representative Alexander moved that the House **not concur** in Senate
55 amendments and that a Conference Committee be appointed. The motion
56 was declared **passed** by the following roll call vote:

	YES 62	NO 2	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	Y Veiga Y
11	Cloer	Y Kester	E Romanoff	Y Vigil Y
12	Coleman	Y King	Y Saliman	N 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	N Marshall	Y Snook	Y Young Y
19				Mr. Speaker Y

21 The Speaker appointed Representatives Alexander, Chairman, Hoppe and
 22 Tochtrop as House conferees to the bill.

26 THIRD READING OF BILLS--FINAL PASSAGE

28 The following bills were considered on Third Reading. The titles were
 29 publicly read. Reading of the bill at length was dispensed with by
 30 unanimous consent.

32 **SB01-082** by Senator(s) Matsunaka, Fitz-Gerald, Tupa, Windels;
 33 also Representative(s) Spence--Concerning the
 34 implementation of section 17 of article IX of the state
 35 constitution.

37 The question being "Shall the bill pass?".

38 A roll call vote was taken. As shown by the following recorded vote, less
 39 than a majority of those elected to the House voted in the affirmative and
 40 the bill was declared **lost**.

	YES 30	NO 34	EXCUSED 1	ABSENT 0
42				
43				
44	Alexander	N Groff	Y Miller	Y Spence Y
45	Bacon	Y Grossman	N Mitchell	Y Spradley N
46	Berry	N Hefley	Y Nuñez	Y Stafford Y
47	Borodkin	N Hodge	N Paschall	N Stengel Y
48	Boyd	N Hoppe	N Plant	N Swenson N
49	Cadman	Y Jahn	Y Ragsdale	Y Tapia Y
50	Chavez	N Jameson	N Rhodes	Y Tochtrop Y
51	Clapp	N Johnson	Y Rippy	N Veiga N
52	Cloer	N Kester	E Romanoff	Y Vigil N
53	Coleman	Y King	Y Saliman	N Webster N
54	Crane	N Larson	N Sanchez	Y Weddig N
55	Daniel	Y Lawrence	N Schultheis	N White Y
56	Decker	N Lee	Y Scott	N Williams S. Y

1	Fairbank	Y	Mace	Y	Sinclair	N	Williams T.	Y
2	Fritz	N	Madden	N	Smith	N	Witwer	Y
3	Garcia	Y	Marshall	Y	Snook	N	Young	N
4							Mr. Speaker	N

NOTICE OF INTENT TO RECONSIDER

10 Having voted on the prevailing side, Representative Dean served notice
 11 of intent to reconsider the last House action (Third Reading vote) on
 12 **SB01-082**.

15 **HB01-1199** by Representative(s) Johnson, Tochtrop, Witwer,
 16 Alexander, Fritz, Hefley, Lee, Romanoff, Sinclair; also
 17 Senator(s) Reeves, Epps, Anderson, Evans, Hanna--
 18 Concerning medical assistance reforms, and making an
 19 appropriation in connection therewith.

21 The question being "Shall the bill pass?".
 22 A roll call vote was taken. As shown by the following recorded vote, a
 23 majority of those elected to the House voted in the affirmative and the bill
 24 was declared **passed**.

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

46 Co-sponsors added: Representatives Cadman, Groff, Jahn, Mace, Stafford,
 47 Williams S.

49 **HB01-1387** by Representative(s) Snook--Concerning measures
 50 designed to mitigate hazards originating from solid waste,
 51 and, in connection therewith, making an appropriation.

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

	YES 61	NO 3	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	N Swenson Y
8	Cadman	Y Jahn	Y Ragsdale	N Tapia Y
9	Chavez	Y Jameson	Y Rhodes	Y Tochtrop Y
10	Clapp	Y Johnson	Y Rippy	Y Veiga Y
11	Cloer	Y Kester	E Romanoff	Y Vigil Y
12	Coleman	Y King	Y Saliman	N 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 Co-sponsors added: Representatives Lee, Mitchell, Paschall, Romanoff, Witwer.

22
 23 **HB01-1394** by Representative(s) Sinclair, Marshall; also Senator(s)
 24 Matsunaka--Concerning the authority of the commissioner
 25 of insurance to establish component rating credit
 26 insurance, and making an appropriation therefor.

27
 28 The question being "Shall the bill pass?".
 29 A roll call vote was taken. As shown by the following recorded vote, a
 30 majority of those elected to the House voted in the affirmative and the bill
 31 was declared **passed**.

	YES 63	NO 1	EXCUSED 1	ABSENT 0
32				
33				
34				
35	Alexander	Y Groff	Y Miller	Y Spence Y
36	Bacon	Y Grossman	Y Mitchell	Y Spradley Y
37	Berry	Y Hefley	Y Nuñez	Y Stafford Y
38	Borodkin	Y Hodge	Y Paschall	Y Stengel Y
39	Boyd	Y Hoppe	Y Plant	Y Swenson Y
40	Cadman	Y Jahn	Y Ragsdale	Y Tapia Y
41	Chavez	Y Jameson	Y Rhodes	Y Tochtrop Y
42	Clapp	Y Johnson	Y Rippy	Y Veiga Y
43	Cloer	Y Kester	E Romanoff	Y Vigil Y
44	Coleman	Y King	Y Saliman	Y Webster Y
45	Crane	Y Larson	N Sanchez	Y Weddig Y
46	Daniel	Y Lawrence	Y Schultheis	Y White Y
47	Decker	Y Lee	Y Scott	Y Williams S. Y
48	Fairbank	Y Mace	Y Sinclair	Y Williams T. Y
49	Fritz	Y Madden	Y Smith	Y Witwer Y
50	Garcia	Y Marshall	Y Snook	Y Young Y
51				Mr. Speaker Y
52				

53 Co-sponsor added: Representative Jameson.

54
 55
 56

1 On motion of Representative Spradley, **SB01-221, 213, 138, HB01-1396,**
2 **1397, 1404, SB01-219, HB01-1403, 1240, SB01-217, HB01-1406** were
3 added to the Special Orders Calendar on Thursday, May 3, 2001.

4

5

6

7 On motion of Representative Stafford, the House resolved itself into
8 Committee of the Whole for consideration of Special Orders and she was
9 called to the Chair to act as Chairman.

10

11

12

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

14

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

19

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

22

23 **HB01-1398** by Representative(s) Clapp; also Senator(s) Phillips--
24 Concerning legislative approval of air quality improve-
25 ment strategies necessary for the redesignation of the
26 Denver region to attainment status for compliance with
27 federal air quality standards, and, in connection therewith,
28 approving the Denver element of the PM-10 state
29 implementation plan.

30

31 Laid over until 5:00 p.m., May 3, retaining place on Calendar.

32

33

34 **SB01-221** by Senator(s) Epps, Anderson, Andrews, Arnold,
35 Chlouber, Dyer (Durango), Dyer (Arapahoe), Entz, Evans,
36 Hagedorn, Hernandez, Hillman, Lamborn, Linkhart,
37 Matsunaka, May, McElhany, Musgrave, Nichol, Owen,
38 Perlmutter, Reeves, Takis, Taylor, Teck; also
39 Representative(s) Clapp--Concerning persons who are
40 affiliates of child care facility licensees.

41

42 Ordered revised and placed on the Calendar for Third Reading and Final
43 Passage.

44

45

46 **SB01-213** by Senator(s) Pascoe; also Representative(s) Veiga--
47 Concerning the authorization of the executive director of
48 the department of human services to sell certain real
49 property situated in the city and county of Denver to the
50 Arapahoe library district for library purposes.

51

52 Ordered revised and placed on the Calendar for Third Reading and Final
53 Passage.

54

55

1 **SB01-138** by Senator(s) Perlmutter, Arnold, Matsunaka; also
2 Representative(s) Smith, Coleman, Grossman--Concerning
3 the revision of statutes in the Colorado Revised Statutes,
4 as amended, amending or repealing obsolete, inconsistent,
5 and conflicting provisions of law and clarifying the
6 language to reflect the legislative intent of the laws.
7

8 Laid over until May 4, retaining place on Calendar.
9

10
11 **HB01-1396** by Representative(s) Spradley; also Senator(s) Hagedorn--
12 Concerning measures to improve the availability of
13 employer-sponsored health insurance for employers with
14 fewer than fifty employees.
15

16 Amendment No. 1, Business Affairs & Labor Report, dated May 1, 2001,
17 and placed in member's bill file; Report also printed in House Journal,
18 May 2, pages 1530-1531.
19

20 As amended, ordered engrossed and placed on the Calendar for Third
21 Reading and Final Passage.
22

23
24 **HB01-1397** by Representative(s) Snook, Fairbank, Fritz, Hoppe,
25 Kester, Larson, Miller, Rhodes, Rippey, Schultheis,
26 Sinclair, Tochtrop, White; also Senator(s) Chlouber--
27 Concerning the requirement that explosives be marked
28 with identifying codes.
29

30 Amendment No. 1, by Representative Snook.
31

32 Amend printed bill, page 3, line 20, strike "use" and substitute "~~use~~
33 PACKAGE ANY EXPLOSIVES IN".
34

35 Page 4, strike lines 5 through 7 and substitute the following:
36

37 **"SECTION 3. Effective date.** This act shall take effect at 12:01
38 a.m. on the day following the expiration of the ninety-day period after
39 final adjournment of the general assembly that is allowed for submitting
40 a referendum petition pursuant to article V, section 1 (3) of the state
41 constitution; except that, if a referendum petition is filed against this act
42 or an item, section, or part of this act within such period, then the act,
43 item, section, or part, if approved by the people, shall take effect on the
44 date of the official declaration of the vote thereon by proclamation of the
45 governor."
46

47 As amended, ordered engrossed and placed on the Calendar for Third
48 Reading and Final Passage.
49

50
51 **HB01-1404** by Representative(s) Alexander--Concerning amendments
52 to Colorado law to conform to federal law regarding the
53 treatment of Indian tribes for unemployment insurance
54 purposes.
55

1 Amendment No. 1, by Representative Alexander.

2

3 Amend printed bill, page 5, line 14, after "(5)", insert "(a)";

4

5 after line 25, insert the following:

6

7 "(b) THE DIVISION SHALL NOTIFY THE UNITED STATES INTERNAL
8 REVENUE SERVICE AND THE UNITED STATES DEPARTMENT OF LABOR OF
9 FAILURES BY THE INDIAN TRIBE OR TRIBAL UNIT TO COMPLY WITH THIS
10 SUBSECTION (5)."

11

12 Page 6, strike lines 18 through 21.

13

14 Page 7, line 14, strike "1," and substitute "21,".

15

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

18

19 **SB01-219** by Senator(s) Hernandez; also Representative(s) White--
20 Concerning restrictions on bail bonding agents.

21

22 Amendment No. 1, Business Affairs & Labor Report, dated May 1, 2001,
23 and placed in member's bill file; Report also printed in House Journal,
24 May 2, page 1531.

25

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

28

29 **HB01-1403** by Representative(s) Dean; also Senator(s) Teck--
30 Concerning the continued payment of expenses related to
31 the disbursement of all forms of moneys received by the
32 treasury.

33

34 Ordered engrossed and placed on the Calendar for Third Reading and
35 Final Passage.

36

37 **HB01-1406** by Representative(s) Lawrence; also Senator(s) Thiebaut--
38 Concerning the university of southern Colorado goal
39 planning process.

40

41 Amendment No. 1, Education Report, dated May 2, 2001, and placed in
42 member's bill file; Report also printed in House Journal, May 3,
43 page 1438.

44

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

47

48 **SB01-217** by Senator(s) Thiebaut; also Representative(s) Smith--
49 Concerning a supplemental appropriation of capital
50 construction funds to the department of transportation for
51 the aviation account of the transportation infrastructure
52 revolving fund.

53

54 Referred to the Committee on Appropriations.

55

1 **HB01-1240** by Representative(s) Hoppe; also Senator(s) Entz--
2 Concerning the creation of the water resources legislation
3 review committee, and, in connection therewith, making
4 an appropriation.
5

6 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
7 dated February 21, 2001, and placed in member's bill file; Report also
8 printed in House Journal, February 23, pages 558-559.
9

10 Amendment No. 2, Appropriations Report, dated May 2, 2001, and
11 placed in member's bill file; Report also printed in House Journal, May 3,
12 page 1538.
13

14 Amendment No. 3, by Representative Hoppe.
15

16 Amend the Agriculture, Livestock, & Natural Resources Committee
17 Report, dated February 21, 2001, page 1, line 1, strike ""SHALL"." and
18 substitute ""SHALL"";";
19

20 strike lines 2 through 5 of the committee report and substitute the
21 following:
22

23 "line 22, strike "ELEVEN" and substitute "TEN";
24

25 line 25, strike "SENATE; EXCEPT THAT" and substitute "SENATE AND BY
26 THE MINORITY PARTY";
27

28 strike line 26.
29

30 Page 4, line 1, strike "SEVEN" and substitute "SIX";
31

32 strike lines 2 and 3 and substitute the following:
33

34 "HOUSE OF REPRESENTATIVES, APPOINTED BY THE SPEAKER OF THE HOUSE
35 OF REPRESENTATIVES AFTER CONSULTATION WITH THE MINORITY LEADER
36 OF THE HOUSE OF";";
37

38 Amendment No. 4, by Representative Hoppe.
39

40 Amend the Agriculture, Livestock, & Natural Resources Committee
41 Report, dated February 21, 2001, page 1, strike lines 7 through 9 and
42 substitute the following:
43

44 "Page 5, line 2, strike "THE EXECUTIVE COMMITTEE OF";
45

46 line 6, strike "SUCH BILLS OR OTHER";
47

48 strike lines 7 through 9;
49

50 line 10, strike "APPROVED";
51

52 after line 14, insert the following:
53

54 **"37-98-104. Repeal.** THIS ARTICLE IS REPEALED, EFFECTIVE
55 JULY1, 2011.
56

1 **SECTION 2.** 37-90-137 (9) (c) (II) and (c.5) (II), Colorado
2 Revised Statutes, are amended to read:

3
4 **37-90-137. Permits to construct wells outside designated basins**
5 **- fees - permit no ground water right - evidence - time limitation - well**
6 **permits - repeal.** (9) (c) (II) This paragraph (c) shall not be in effect
7 from July 1, ~~2001~~ 2003, until July 1, ~~2004~~ 2006, during which time
8 paragraph (c.5) of this subsection (9) shall apply.

9
10 (c.5) (II) This paragraph (c.5) is effective July 1, ~~2001~~ 2003, and
11 is repealed, effective July 1, ~~2004~~ 2006.

12
13 Renumber succeeding sections accordingly."."

14
15 Amendment No. 5, by Representative Hoppe.

16
17 Amend printed bill, page 5, line 5, after the period, insert "NO BILL SHALL
18 BE REPORTED TO THE LEGISLATIVE COUNCIL UNLESS A TWO-THIRDS
19 MAJORITY OF THE APPOINTED MEMBERS OF THE COMMITTEE VOTE TO
20 REPORT SUCH BILL TO THE LEGISLATIVE COUNCIL."

21
22 As amended, declared **lost** on Second Reading.
23 (For change in action, see Amendments to Report.)

24
25
26
27 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

28
29 Representative Hoppe moved to amend the Report of the Committee of
30 the Whole to show that **HB01-1240, as amended**, did pass.

31
32 The amendment was declared **passed** by the following roll call vote:

33
34 YES 34 NO 31 EXCUSED 0 ABSENT 0

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

53
54
55
56

1 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

2
3 Passed Second Reading: **SB01-221, 213, HB01-1396 amended,**
4 **1397 amended, 1404 amended, SB01-219 amended, HB01-1403,**
5 **1406 amended, 1240 amended.**

6
7 Laid over until date indicated retaining place on Calendar:
8 **HB01-1398--5:00 p.m., May 3, 2001.**
9 **SB01-138--May 4, 2001.**

10
11 Referred to Committee indicated:
12 **SB01-217--Committee on Appropriations.**

13
14 The Chairman moved the adoption of the Committee of the Whole
15 Report. As shown by the following roll call vote, a majority of those
16 elected to the House voted in the affirmative, and the Report was
17 **adopted.**

18
19 YES 64 NO 1 EXCUSED 0 ABSENT 0

21 Alexander	Y	Groff	Y	Miller	Y	Spence	Y
22 Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	Y
23 Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y
24 Borodkin	Y	Hodge	Y	Paschall	Y	Stengel	Y
25 Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
26 Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y
27 Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
28 Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
29 Cloer	Y	Kester	Y	Romanoff	Y	Vigil	Y
30 Coleman	Y	King	Y	Saliman	N	Webster	Y
31 Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
32 Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
33 Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
34 Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
35 Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
36 Garcia	Y	Marshall	Y	Snook	Y	Young	Y
37						Mr. Speaker	Y

38
39
40
41

42 **REPORTS OF COMMITTEES OF REFERENCE**

43
44 **EDUCATION**

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

47
48 **SB01-098** be amended as follows, and as so amended, be referred to
49 the Committee on Appropriations with favorable
50 recommendation:

51
52 Amend reengrossed bill, page 3, strike line 2 and substitute the following:

53
54 **"SECTION 1. 22-7-601 (1) (e), (1) (f), and (2), Colorado Revised**
55 **Statutes, are";**

56

1 strike line 4 and substitute the following:

2

3 **"22-7-601. Legislative declaration.** (1) The general assembly
4 hereby finds that:

5

6 (e) Giving each public school ~~a report card grading~~ AN
7 ACCOUNTABILITY REPORT ON its performance and improvement in
8 academic achievement will assist the general assembly, parents, and
9 taxpayers in identifying those public schools that are providing students
10 with an opportunity for a quality education; and

11

12 (f) By requiring annual ~~school report cards~~ ACCOUNTABILITY
13 REPORTS, the general assembly, parents, and taxpayers will be able to
14 monitor the progress that schools make toward providing students with
15 an opportunity for a quality education in a safe learning environment.

16

17 (2) The general assembly";

18

19 line 21, strike "year." and substitute "year AND FOR THE
20 CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAMINATIONS
21 REQUIRED BY SECTION 22-7-409 (1.5).".

22

23 Page 4, line 13, strike "report cards" and substitute "~~report cards~~
24 ACCOUNTABILITY REPORTS";

25

26 after line 14, insert the following:

27

28 **"SECTION 3.** 22-7-603 (1), Colorado Revised Statutes, is
29 amended to read:

30

31 **22-7-603. State data reporting system.** (1) The department
32 shall develop and implement a comprehensive data collection and
33 reporting system for collecting and reporting performance indicators from
34 each public school. On or before September 1, 2000, the department
35 shall contract out for the development of the state data reporting system.
36 The department shall award the contract based upon a competitive bid;
37 except that the provisions of the "Procurement Code", articles 101 to 112
38 of title 24, C.R.S., shall not apply to this contract. The state data
39 reporting system shall be designed to collect, through electronic transfer
40 where possible, all student and public school performance data required
41 to ascertain the degree to which public schools and school districts are
42 meeting state performance standards and shall be capable of producing
43 data for decision-making and for the comprehensive annual ~~report cards~~
44 SCHOOL ACCOUNTABILITY REPORTS on public school and district
45 performance pursuant to sections 22-7-604 and 22-7-605. The state data
46 reporting system shall be designed to protect the privacy of individual
47 students and individually identifying data. In addition, the state data
48 reporting system shall be designed to include all the information and data
49 elements needed for measuring student and school performance,
50 including fiscal, student, program, personnel, facility, community,
51 evaluation, and other relevant data and shall allow for the analysis of the
52 relationship between school district and public school expenditures and
53 effectiveness. Data elements collected and provided by the department,
54 school districts, and individual public schools shall be compatible. The
55 state data reporting system shall be managed and administered by the
56 department. Each school district that has a unique information

- 1 management system shall assure that compatibility exists between its
2 unique system and the data elements of the state data reporting system so
3 that all data required to be input into the state data reporting system is
4 made available through electronic transfer and in the appropriate input
5 format."
6
7 Renumber succeeding sections accordingly.
8
9 Page 4, line 15, strike "(4),";
10
11 line 19, strike "2000-01 2001-02" and substitute "2000-01";
12
13 line 21, strike "SATISFACTORY" and substitute "AVERAGE";
14
15 line 27, strike ""SATISFACTORY:" and substitute ""AVERAGE:"".
16
17 Page 5, line 5, strike "and curriculum-based," and substitute "and
18 curriculum-based,";
19
20 line 6, strike "achievement college entrance exams" and substitute
21 "achievement college entrance exams";
22
23 strike lines 11 through 26.
24
25 Page 6, line 3, after "school," insert "STARTING WITH THE 2001-02
26 SCHOOL YEAR,";
27
28 line 10, strike "or curriculum-based, achievement college" and substitute
29 "or curriculum-based, achievement college";
30
31 line 11, strike "entrance exam" and substitute "entrance exam";
32
33 line 17, strike "YEAR FOLLOWING THE".
34
35 Page 7, line 6, strike ""SATISFACTORY"";" and substitute ""AVERAGE"";
36
37 line 20, strike "YEAR FOLLOWING THE".
38
39 Page 8, line 17, strike "report cards" and substitute "report cards
40 ACCOUNTABILITY REPORTS";
41
42 line 20, after "that", insert "grade level or exclude from any
43 curriculum-based, achievement college entrance exam more than ten
44 percent of the students required to take such exam, any representation of
45 that public school's overall academic";
46
47 line 25, strike "2001-02 2002-03" and substitute "2001-02";
48
49 line 26, strike "school." and substitute "school".
50
51 Page 9, strike lines 2 and 3 and substitute the following:
52 "section. The academic improvement grades shall correspond to the
53 categories described in subsection (1) of this section. OF "SIGNIFICANT
54 IMPROVEMENT", "IMPROVEMENT", "STABLE", "DECLINE", OR "SIGNIFICANT
55 DECLINE". The academic";
56

1 line 19, strike ""NO" and substitute ""STABLE";

2

3 line 20, strike "SIGNIFICANT CHANGE".

4

5 Page 11, strike lines 11 through 13 and substitute the following:

6

7 **"SECTION 5.** 22-7-605 (1), (2) (a), (2) (b), (2) (c), and (3) (a),
8 the introductory portion to 22-7-605 (3) (b), 22-7-605 (3) (c) and (4), the
9 introductory portion to 22-7-605 (5), 22-7-605 (5) (b) (I), the introductory
10 portion to 22-7-605 (5) (c) (I), 22-7-605 (5) (c) (III) and (5) (e), the
11 introductory portion to 22-7-605 (6), and 22-7-605 (6) (a) (III), (6) (d)
12 (IV), (7) (a), (7) (b) (I), (7) (d) (II), (7) (d) (III), (7) (d) (V), (7) (d) (VI),
13 (8), (9) (a), (9) (d), and (10), Colorado Revised Statutes, are amended to
14 read:";

15

16 line 14, strike "report cards" and substitute "accountability reports";

17

18 line 16, strike "a report card" and substitute "a AN ACCOUNTABILITY
19 report card";

20

21 strike lines 17 and 18 and substitute the following:

22 "The ACCOUNTABILITY report card shall be issued in an easy-to-read
23 format and shall include the public school's overall";

24

25 line 21, strike "a report card" and substitute "a AN ACCOUNTABILITY
26 report card";

27

28 after line 22, insert the following:

29

30 "(2) (a) (I) TERMS AND DATA ELEMENTS USED IN THE STATE
31 SCHOOL ACCOUNTABILITY REPORTS SHALL BE AS DEFINED IN THE CHART
32 OF ACCOUNTS AND PERSONNEL CLASSIFICATION SYSTEM DEVELOPED
33 PURSUANT TO SECTION 22-44-105 (4) (a).

34

35 (II) On or before September 1, 2000, the state board by rule shall
36 define, consistent with the provisions of this part 6, any ADDITIONAL data
37 elements included on the school ~~report cards~~ ACCOUNTABILITY REPORTS
38 and the information that shall be collected and reported to ensure the
39 existence, accuracy, and relevancy of the data elements reported on the
40 school ~~report cards~~ ACCOUNTABILITY REPORTS developed pursuant to this
41 section.

42

43 (b) Each public school and school district shall report accurately
44 any data required to produce a school ACCOUNTABILITY report card for
45 each public school, using whenever possible the state data reporting
46 system described in section 22-7-603. The state board shall seek to
47 minimize and eliminate the duplication of data reporting required under
48 this section and that required by other state or federal statutes or rules so
49 that school districts may satisfy multiple reporting requirements within
50 a single reporting framework. The state board in particular shall note the
51 data collection and reporting already required and conducted by the
52 department, public schools, and school districts in sections 22-2-112,
53 22-7-105, 22-11-104, 22-11-201, 22-30.5-110, 22-32-109, 22-32-110,
54 22-33-105, 22-44-105, 22-44-111, and 22-54-112.

55

56 (c) Each public school and each school district shall meet data

1 submission timetables adopted by rule of the state board in order to
2 comply with the schedule required by this section to produce ~~report cards~~
3 THE ACCOUNTABILITY REPORTS. If, after a reasonable period of time, the
4 department determines that a public school or a school district has failed
5 to comply fully and accurately with the data reporting and collection
6 requirements of this section, the state board shall rescind the accreditation
7 of the school district pursuant to article 11 of this title.
8

9 (3) (a) The ACCOUNTABILITY report ~~card~~ produced for each public
10 school pursuant to this section shall not contain any information other
11 than the information specified in this section. The information specified
12 in this section shall be arranged on the ACCOUNTABILITY report ~~card~~ in
13 the order it appears in this section.
14

15 (b) Each ACCOUNTABILITY report ~~card~~ shall be printed
16 double-sided on paper eleven inches by seventeen inches. The two sides
17 shall contain the following:
18

19 (c) The ACCOUNTABILITY report ~~card~~ shall be folded in such a
20 way that the eleven-by-seventeen-inch paper has two folds to comprise
21 six panels, corresponding to the above divisions and that after folding
22 only the title page and the "Taxpayers' Report" page appear.";
23

24 line 24, strike "report card:" and substitute "ACCOUNTABILITY report:
25 ~~card:~~";
26

27 after line 24, insert the following:
28

29 "(a) **Title.** The ACCOUNTABILITY report ~~card~~ shall include in large
30 font, superimposed on a faint rendition of the state seal, the name of the
31 public school. Immediately underneath shall be the words "School
32 ACCOUNTABILITY Report" ~~Card~~" and "[year]-[year] school year" on
33 which the information in the accountability report ~~card~~ is based.";
34

35 strike lines 25 and 26 and substitute the following:
36

37 "(b) **Ratings.** (I) The ACCOUNTABILITY report ~~card~~ shall contain
38 a heading "School Performance".
39

40 Page 12, line 16, strike ""Overall Academic" and substitute ""~~Overall~~
41 ~~Academic~~";
42

43 line 17, strike "Performance" or, if applicable," and substitute
44 "~~Performance~~" or, if applicable,";
45

46 strike lines 22 through 27 and substitute the following:
47

48 "(c) **Comparison.** The ACCOUNTABILITY report ~~card~~ shall contain
49 the following subtitle, "How [name of the public school] Compares To
50 Nearby [school level] Schools". Below this subtitle, the
51 ACCOUNTABILITY report ~~card~~ shall contain a list of the ten schools,
52 whether public or private, of the same school level as the subject school
53 that are closest geographically to the subject public school and that
54 received a AN ACCOUNTABILITY report ~~card~~ pursuant to this part 6; except
55 that no school shall be listed if it is located more than seventy-five miles
56 from the subject public school. Immediately following the name of each

1 school shall be the overall academic performance ~~grade~~ RATING for each
2 school as calculated pursuant to section ~~22-7-604~~ 22-7-604 (5). The
3 names of the ten schools and the overall academic performance ~~grade~~
4 RATING shall form two columns, titled "School" and "Academic". If any
5 of the ten schools used for comparison for this paragraph (c) are from a
6 different school district or are nonpublic schools, a footnote number shall
7 be inserted after the name of each such school and a footnote shall follow
8 the listing of the ten schools identifying the other school district or
9 nonpublic schools.

10

11 (d) **Preparation and verification information.** The
12 ACCOUNTABILITY report ~~card~~ shall contain the following statement:
13 "~~School Report Cards~~ ACCOUNTABILITY REPORTS prepared by the
14 Colorado Department of Education are independently audited and
15 verified by [name of the consulting firm whose services are procured
16 pursuant to section 22-7-606 (4)]." At the bottom of the title page of the
17 ACCOUNTABILITY report ~~card~~ shall appear the following statement: "For
18 more information on additional schools, visit www.state.co.us/schools".
19

20

20 Page 13, strike lines 1 through 23;

21

22 line 24, strike "report card" and substitute "ACCOUNTABILITY report ~~card~~";

23

24 strike line 27 and substitute the following:

25

26 (b) **Safety and discipline.** The "Safety and School Environment"
27 page shall contain the subtitle, "Safety and Discipline" and the following
28 explanation: "Safe schools are a top priority for parents, teachers, and
29 communities. Your school's safety and discipline record for the [year] -
30 [year] school year is:". Immediately underneath this explanation shall be
31 a table with the following seven columns:

32

33 (I) The first column, entitled "Type of Incident", shall contain the
34 following seven lines:

35

36 (A) "Substance Abuse -- DRUGS & ALCOHOL";

37

38 (B) "~~Classroom Suspensions~~ SUBSTANCE ABUSE -- TOBACCO";

39

40 (C) "Assaults/Fights";

41

42 (D) "Habitually Disruptive Students";

43

44 (E) "Deadly Weapons";

45

46 (F) "Other Felonies as Defined by Statute"; and

47

48 (G) "Other Violations of Code of Conduct".

49

50 (c) **Student attendance and time spent in classroom.** The
51 "Safety and School Environment" page shall contain the subtitle, "Student
52 Attendance and Time Spent in Classroom". Immediately underneath this
53 subtitle shall appear a table with two columns and a graph as follows:

54

55 (I) The first column shall contain the school year on which the
56 information in the ACCOUNTABILITY report ~~card~~ is based and the

1 following six lines:
2

3 (III) Immediately to the right of the table described in this
4 paragraph (c), shall be a graph titled "Dropout Rate". The graph shall
5 have two bars, one for the previous academic year and one for the
6 academic year on which the ACCOUNTABILITY report card is based. The
7 bars shall be labeled with the yearly dates. The graph shall show the
8 student dropout rate for said two years.
9

10 (e) **Ratings description.** Directly below the information
11 contained in paragraph (d) of this subsection (5) shall appear a chart
12 containing the following lines TWO COLUMNS:
13

14 (I) ~~"Key: Academic Performance Letter Grades:"~~; THE FIRST
15 COLUMN SHALL BE ENTITLED "OVERALL ACADEMIC PERFORMANCE
16 RATINGS" IN BOLD FONT AND CAPITAL LETTERS. IMMEDIATELY
17 FOLLOWING THIS TITLE SHALL BE THE FOLLOWING WORDS LISTED IN A
18 COLUMN, EACH PRECEDED BY A BULLET POINT: "EXCELLENT"; "HIGH";
19 "AVERAGE"; "LOW"; AND "UNSATISFACTORY".
20

21 (II) ~~"A — Excellent Academic Performance"~~; THE SECOND
22 COLUMN SHALL BE ENTITLED "SCHOOL IMPROVEMENT RATINGS" IN BOLD
23 FONT AND CAPITAL LETTERS. IMMEDIATELY FOLLOWING THIS TITLE SHALL
24 BE THE FOLLOWING WORDS LISTED IN A COLUMN, EACH PRECEDED BY A
25 BULLET POINT: "SIGNIFICANT IMPROVEMENT"; "IMPROVEMENT";
26 "STABLE"; "DECLINE"; AND "SIGNIFICANT DECLINE".
27

28 ~~(III) "B — Above Average Academic Performance"~~;

29 ~~(IV) "C — Average Academic Performance"~~;

30 ~~(V) "D — Below Average Academic Performance"~~; and
31

32 ~~(VI) "F — Failing Academic Performance"~~.
33
34
35

36 Strike page 14.

37 Page 15, strike line 1;

38 line 2, strike "report card" and substitute "ACCOUNTABILITY report card";

39 line 12, strike "school WHO ARE" and substitute "school.".";

40 strike line 13;

41 line 14, strike "DAY.".";

42 strike lines 18 through 27 and substitute the following:
43

44 (d) **Salaries.** The "About Our Staff" page shall also include the
45 subtitle, "Salaries". Directly below this subtitle shall be a table with four
46 columns:
47

48 (IV) Immediately following shall be the name, address, and
49 telephone number of the school on which the ACCOUNTABILITY report is
50 prepared. Following this, at the bottom of the page shall be: "For more
51
52
53
54
55
56

1 information and further details about this report, visit:
2 www.state.co.us/schools". The last line of the page shall be: "Colorado
3 Department of Education [address]".

4

5 Page 16, strike line 1 and substitute the following:

6

7 **"(7) Student performance.** (a) The ACCOUNTABILITY report card
8 shall contain a page clearly marked in large font as the "Student
9 Performance" page. This page shall contain the following statement
10 immediately under the title: "Colorado students are assessed once a year
11 in order to measure their performance on state academic content
12 standards, using the Colorado Student Assessment Program (CSAP). The
13 chart below shows the results for grades [grade]-[grade] in the subject
14 areas of reading, writing, and math FOR ALL STUDENTS TESTED."

15

16 (b) (I) Following the text specified in paragraph (a) of this
17 subsection (7), a solid line shall appear followed by "CSAP [year]
18 Spring". Under this heading shall appear the correct number of columns
19 corresponding to each grade level in the public school that took at least
20 one test through the CSAP program. Each column shall be clearly
21 marked as to the corresponding grade level. Underneath each grade level,
22 three rows of pie charts shall appear. The first row shall be clearly
23 marked underneath each pie chart as "Reading", the second row shall be
24 clearly marked underneath each pie chart as "Writing", and the third row
25 shall be clearly marked underneath each pie chart as "Math". Such pie
26 charts shall report information collected pursuant to section 22-7-409
27 INCLUDING, BEGINNING WITH THE 2001-02 SCHOOL YEAR, THE
28 CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM. On each
29 pie chart shall be printed the corresponding percentages. Pie charts shall
30 be printed in color and shall clearly delineate student scores on
31 assessments.

32

33 (d) Directly below the "CSAP" key";

34

35 after line 3, insert the following:

36

37 (II) The second column shall be entitled "Your School", the third
38 column shall be entitled "District", and the fourth column shall be entitled
39 "State". The pie chart shall be entitled "~~Percent of Student Test Scores~~
40 ~~Counted~~ USED FOR CALCULATING OVERALL ACADEMIC PERFORMANCE".

41

42 (III) The pie chart shall have an answer key directly to the right
43 containing the following information:

44

45 (A) "Test Scores ~~Counted~~ USED....[percentage]_ %";

46

47 (B) "Test scores not ~~counted~~ USED due to Language...
48 [percentage]_ %";

49

50 (C) "Test scores not ~~counted~~ USED due to Special Ed...
51 [percentage]_ %"; and

52

53 (D) "Test scores not ~~counted~~ USED due to New Student...
54 [percentage]_ %".";

55

1 strike line 4 and substitute the following:

2

3 "(V) Immediately";

4

5 line 5, after the second "the", insert "ACCOUNTABILITY";

6

7 line 6, strike "card" and substitute "card";

8

9 line 8, strike "'SATISFACTORY'," and substitute "'AVERAGE'";

10

11 line 13, strike "who," and substitute "who";

12

13 strike lines 14 through 18 and substitute the following:

14 "enrolled in the Colorado public school system after October 1 of this
15 school year. Your school's grade RATING was determined by the".

16

17 Page 17, line 5, strike "report card" and substitute "ACCOUNTABILITY
18 report card";

19

20 strike lines 9 through 11 and substitute the following:

21 "22-7-604 (5) in the current year, the immediately preceding year, and the
22 year before the immediately preceding year.";

23

24 line 16, strike "BEGINNING WITH" and substitute "IMMEDIATELY";

25

26 line 17, strike "THE 2001-02 SCHOOL YEAR, IMMEDIATELY";

27

28 strike lines 21 through 24 and substitute the following:

29 "(6) when applicable, in the current year, the immediately preceding year,
30 and the year before the immediately preceding year.".

31

32 Page 18, strike line 6 and substitute the following:

33

34 "(d) Directly below the";

35

36 line 11, strike "'NO SIGNIFICANT CHANGE'," and substitute "'STABLE'";

37

38 Page 19, after line 8, insert the following:

39

40 "(9) **Taxpayers' report.** (a) The ACCOUNTABILITY report card
41 shall contain a page clearly marked in large-size font as the "Taxpayers'
42 Report" page. Financial data from this page shall be from the most
43 recently audited fiscal year.

44

45 (d) The bottom of the page described in this subsection (9) shall
46 list in bold font the name of the public school that the school
47 ACCOUNTABILITY report card is detailing and its address. The second
48 from last line of the page shall state: "For more information and further
49 details about this report, visit: www.state.co.us/schools". The last line
50 of the page shall state: "Colorado Department of Education [address]".

51

52 (10) The department shall make only the necessary modifications
53 to the ACCOUNTABILITY report card to ensure that a public school's
54 ACCOUNTABILITY report card is formatted with the appropriate
55 information for elementary schools, middle schools, junior high schools,
56 and senior high schools. The department shall employ such layout,

1 design, color, and graphical elements necessary for the ACCOUNTABILITY
 2 report ~~card~~ to be parent-friendly and easy to read and to enhance rather
 3 than detract from the data to be reported. IF A SCHOOL FAILS TO REPORT
 4 DATA, THE DEPARTMENT SHALL CLEARLY NOTE ON THE SCHOOL
 5 ACCOUNTABILITY REPORT: "SCHOOL FAILED TO REPORT DATA".";

6
 7 line 9, strike "22-7-606 (3)," and substitute "22-7-606,";

8
 9 strike lines 11 and 12 and substitute the following:

10

11 **"22-7-606. School accountability reports - delivery website -**
 12 **repeal.** (1) (a) The department shall deliver each public school's annual
 13 ACCOUNTABILITY report ~~card~~ to the public school by ~~August~~ SEPTEMBER
 14 15, 2001, and by ~~August~~ SEPTEMBER 15 each year thereafter. The
 15 department shall print and provide to the public school copies of the
 16 ~~report cards~~ ACCOUNTABILITY REPORTS in the amount of: Total pupil
 17 enrollment at last annual count, plus the total number of teachers as listed
 18 on the school ACCOUNTABILITY report, ~~card~~; plus an additional
 19 twenty-five percent.

20

21 (b) On or before January 1, 2001, the department shall enter into
 22 a contract for the production of the school ~~report cards~~ ACCOUNTABILITY
 23 REPORTS. The department shall award the contract based upon a
 24 competitive bid; except that the provisions of the "Procurement Code",
 25 articles 101 to 112 of title 24, C.R.S., shall not apply to this contract.

26

27 (2) The public school shall distribute its annual ACCOUNTABILITY
 28 report ~~card~~ to the parent or legal guardian of each student enrolled in the
 29 public school and to any members of the public who request a copy.

30

31 (3) The department shall develop an internet website, which
 32 homepage";

33

34 line 14, strike "report card" and substitute "ACCOUNTABILITY report ~~card~~";

35

36 line 15, strike "report card" and substitute "ACCOUNTABILITY report ~~card~~";

37

38 line 18, strike "report card" and substitute "ACCOUNTABILITY report ~~card~~";

39

40 line 20, strike "report cards." and substitute "~~report cards~~
 41 ACCOUNTABILITY REPORTS.";

42

43 line 26, strike "~~2001~~ 2002," and substitute "2001,";

44

45 line 27, after "school", insert "ACCOUNTABILITY".

46

47 Page 20, line 1, strike "card" and substitute "~~card~~";

48

49 after line 3, insert the following:

50

51 "(4) On or before January 1, 2001, and on or before each January
 52 1 thereafter, the state board shall contract with a nationally recognized,
 53 independent auditing firm to annually audit the process of preparing the
 54 ~~report cards~~ ACCOUNTABILITY REPORTS developed pursuant to section
 55 22-7-605 to ensure data and reporting integrity and quality control. The
 56 department shall award the contract based upon a competitive bid; except

1 that the provisions of the "Procurement Code", articles 101 to 112 of title
 2 24, C.R.S., shall not apply to this contract. The name of the independent
 3 auditing firm shall appear on all ~~report cards~~ ACCOUNTABILITY REPORTS
 4 printed pursuant to this section.
 5

6 (5) (a) During February 2005, the state board shall report to the
 7 education committees of the senate and the house of representatives on
 8 all aspects of the school ~~report cards~~ ACCOUNTABILITY REPORTS issued
 9 pursuant to this part 6. Such report shall include but not be limited to:

10
 11 (I) Whether the scores of students have improved since the ~~report~~
 12 ~~cards~~ ACCOUNTABILITY REPORTS were issued;

13
 14 (II) Data on safety incidents involving students;

15
 16 (III) Whether the format of the school ~~report cards~~
 17 ACCOUNTABILITY REPORTS could be improved;

18
 19 (IV) Whether the state board or department has been informed of
 20 problems with the ~~report cards~~ ACCOUNTABILITY REPORTS; and

21
 22 (V) Whether the state board recommends that the school ~~report~~
 23 ~~cards~~ ACCOUNTABILITY REPORTS should be continued.

24
 25 (b) This subsection (5) is repealed, effective July 1, 2005.
 26

27 **SECTION 7.** 22-7-607, Colorado Revised Statutes, is amended
 28 to read:
 29

30 **22-7-607. School accountability reports - nonpublic schools.**
 31 The state board shall promulgate rules and procedures by which any
 32 nonpublic school in Colorado may opt to have the state complete a school
 33 ACCOUNTABILITY report ~~card~~ on its school. The state board shall ensure
 34 that the nonpublic school reports the assessment and safety data
 35 necessary to prepare the ACCOUNTABILITY report ~~card~~ pursuant to this
 36 part 6. Furthermore, the state board shall charge a fee to the nonpublic
 37 school for the cost of preparing and printing the school ACCOUNTABILITY
 38 report. ~~card~~. Any ACCOUNTABILITY report ~~card~~ prepared for a nonpublic
 39 school shall be included in all listings and comparisons of school
 40 performance and shall be made available to the general public. The
 41 information shall be placed on the school ACCOUNTABILITY report ~~card~~
 42 website along with all other public school ~~report cards~~ ACCOUNTABILITY
 43 REPORTS and shall be integrated into the search and sort functions of the
 44 website."
 45

46 Renumber succeeding sections accordingly.
 47

48 Page 20, strike lines 6 through 27 and substitute the following:
 49

50 **"SECTION 9.** 22-7-609 (2), (3) (c), and (5), Colorado Revised
 51 Statutes, are amended to read:
 52

53 **22-7-609. School improvement plans.** (2) ~~On or before June 15,~~
 54 ~~2001, and on or before each June 15 thereafter,~~ The state board shall
 55 notify a local board of education what school, if any, in its district will
 56 receive an academic performance ~~grade~~ RATING of "F"

1 "UNSATISFACTORY", pursuant to section 22-7-604 (5), on the school
 2 ACCOUNTABILITY report card being prepared for that academic year. The
 3 state board shall notify the local board of education that it must submit a
 4 school improvement plan pursuant to this section or the state board shall
 5 recommend an independent charter school pursuant to part 3 of article
 6 30.5 of this title. The local board of education shall have the option of
 7 developing and implementing a school improvement plan pursuant to this
 8 section or having the state board recommend an independent charter
 9 school.

10

11 (3) (c) ~~Within forty-five days after the state board's receipt of a~~
 12 ~~school improvement plan under this section,~~ The department shall
 13 forward back to the local board of education comments and suggestions
 14 on the plan. The comments and suggestions of the department shall be
 15 advisory. If the local board of education adopts any of the suggestions
 16 and comments, the local board of education shall submit to the state
 17 board an amended school improvement plan adopted by the local board
 18 of education after a public hearing on the proposed amended plan.

19

20 (5) (a) If, upon completion of the first school year of operation
 21 under a school improvement plan pursuant to this section, a public school
 22 receives an overall academic performance ~~grade~~ RATING of "F"
 23 "UNSATISFACTORY" pursuant to section 22-7-604 (5), the state board shall
 24 proceed with the recommendation for the conversion to an independent
 25 charter school pursuant to part 3 of article 30.5 of this title; except that
 26 the state board shall not proceed with the recommendation if the public
 27 school had an improvement of 0.5 of a point or greater from the standard
 28 deviation over the immediately preceding year's overall standardized,
 29 weighted total score pursuant to ~~22-7-604 (6)~~ SECTION 22-7-604 (5), and
 30 the school district shall be allowed to continue to operate that school
 31 under the school improvement plan for another year.

32

33 (b) If, upon completion of the second school year of operation
 34 under a school improvement plan pursuant to this section, a public school
 35 receives an overall academic performance ~~grade~~ RATING of "F"
 36 "UNSATISFACTORY" pursuant to section 22-7-604 (5), the state board shall
 37 proceed with the recommendation for the conversion to an independent
 38 charter school pursuant to part 3 of article 30.5 of this title."

39

40 Strike pages 21 through 24.

41

42 Page 25, strike lines 1 through 8.

43

44 Renumber succeeding sections accordingly.

45

46 Page 27, line 26, strike ""SATISFACTORY"" and substitute ""AVERAGE"".

47

48 Page 28, strike lines 24 through 27 and substitute the following:

49

50 **SECTION 13.** 22-7-409 (1.2) (a) (I), the introductory portion to
 51 22-7-409 (1.2) (d) (I), and 22-7-409 (1.2) (d) (I) (C), (1.2) (d) (II), (1.2)
 52 (d) (III), (1.5), and (1.9), Colorado Revised Statutes, are amended to read:

53

54 **22-7-409. Assessments - repeal.** (1.2) (a) (I) The assessments
 55 required by subsection (1) of this".

56

1 Page 29, strike lines 1 through 14;

2

3 strike lines 17 through 20 and substitute the following:

4 "conducted during the period beginning the second Monday in March and
5 ending on the third Monday in April of each year. ~~No later than June 1~~
6 ~~of each year, the department shall provide to each public school results~~
7 ~~of all assessments administered. For reporting";~~

8

9 strike lines 25 through 27.

10

11 Page 30, strike line 1;

12

13 line 4, strike "ENROLLED, AS" and substitute "ENROLLED";

14

15 line 5, strike "DETERMINED BY THE POLICY OF THE DISTRICT";

16

17 strike lines 12 through 27 and substitute the following:

18

19 "(C) Any student who at the time that he or she enrolls in any
20 public school of the state is defined as a student whose dominant
21 language is not English pursuant to section 22-24-103 (4) (a) or (4) (b).
22 However, if such student is enrolled in third grade, that student's scores
23 shall be used for calculating academic performance and improvement
24 ~~grades~~ RATINGS and for accreditation purposes after the student has been
25 enrolled in any public school in the state for two years. In addition, if
26 such student is enrolled in one of grades four through ten, that student's
27 scores shall be used for calculating academic performance and
28 improvement ~~grades~~ RATINGS and for accreditation purposes after the
29 student has been enrolled in any public school in the state for three
30 years."

31

32 Page 31, strike lines 1 through 9;

33

34 strike lines 13 and 14 and substitute the following:

35 "~~appropriate~~ grade level IN WHICH THE STUDENT IS ENROLLED. ~~as~~
36 ~~determined by the student's individual educational program. To the~~
37 ~~extent applicable for the public school's".~~

38

39 Page 32, strike lines 1 through 27 and substitute the following:

40

41 "(1.5) (a) Beginning in the spring semester 2001, and each spring
42 semester thereafter, all students enrolled in the eleventh grade in public
43 schools throughout the state shall be required to take a standardized,
44 curriculum-based, achievement, college entrance examination selected by
45 the department, administered throughout the United States, and relied
46 upon by institutions of higher education that, at a minimum, tests in the
47 areas of reading, writing, mathematics, and science, referred to in this
48 section as the "curriculum-based, achievement college entrance exam".
49 The department shall pay all costs associated with administering the
50 curriculum-based, achievement college entrance exam. ~~and~~

51

52 (b) (I) THE DEPARTMENT shall schedule a day during which the
53 curriculum-based, achievement college entrance exam shall be
54 administered to all eleventh grade students enrolled in public schools
55 throughout the state.

56

1 (II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF
2 THIS PARAGRAPH (b), ANY STUDENT WHO CAN SHOW A NEED TO TAKE THE
3 CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM ON A DATE
4 ON WHICH THE EXAM IS ADMINISTERED THROUGHOUT THE COUNTRY MAY
5 TAKE THE EXAM ON SUCH A DATE, PRIOR TO THE DATE ESTABLISHED BY
6 THE DEPARTMENT PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH
7 (b). THE DEPARTMENT SHALL PAY ALL COSTS ASSOCIATED WITH A
8 STUDENT TAKING THE CURRICULUM-BASED, ACHIEVEMENT COLLEGE
9 ENTRANCE EXAM PURSUANT TO THIS SUBPARAGRAPH (II).

10

11 (c) The state board shall adopt rules to ensure that any
12 requirements of the administrator of the curriculum-based, achievement
13 college entrance exam, such as a secure environment, are met AND TO
14 IDENTIFY THE STUDENTS WHOSE NEED TO TAKE THE CURRICULUM-BASED,
15 ACHIEVEMENT COLLEGE ENTRANCE EXAM ON A DATE ON WHICH THE EXAM
16 IS ADMINISTERED THROUGHOUT THE COUNTRY JUSTIFIES THEM TAKING IT
17 ON SUCH A DATE.

18

19 (1.9) The results of the assessments required by subsection (1) of
20 this section shall be included on each student's final report card for that
21 school year and shall be part of the student's permanent academic record.
22 The results of the curriculum-based, achievement college entrance exam
23 conducted OR PAID FOR pursuant to subsection (1.5) of this section shall
24 be included on each student's transcript; except that, if the student retakes
25 the curriculum-based, achievement college entrance exam at a later time
26 at the student's expense, the student may request that the later results be
27 placed on the student's transcript instead of the results of the
28 curriculum-based, achievement college entrance exam administered OR
29 PAID FOR pursuant to subsection (1.5) of this section."

30

31 Page 33, line 2, strike "(2) (a)," and substitute "(2) (a) (II),";

32

33 strike lines 7 through 11;

34

35 line 12, strike "(II)" and substitute "(a) (II)";

36

37 strike lines 17 and 18.

38

39 Renumber succeeding sections accordingly.

40

41 Page 34, line 23, strike "(3) (e)".

42

43 Page 35, strike lines 10 and 11 and substitute the following:

44 "~~of this section~~ THIS SUBSECTION (3) to ~~the superintendent of a~~ ANY
45 school district within the state.";

46

47 strike lines 12 through 21.

48

49 Page 36, strike lines 17 through 19 and substitute the following:

50 "SAID school district, with the consent of the child's parent or legal
51 guardian. The school district shall accept the transcripts FOR CREDIT from
52 the non-public home-based educational program for any such child;
53 EXCEPT THAT THE SCHOOL DISTRICT MAY REJECT SUCH TRANSCRIPTS IF
54 THE SCHOOL DISTRICT ADMINISTERS TESTING TO SUCH CHILD AND THE
55 TESTING DOES NOT VERIFY THE ACCURACY OF SUCH TRANSCRIPTS.";

56

1 strike lines 21 and 22 and substitute the following:
2 "participating in a nonpublic home-based educational program shall have
3 the same rights as a student enrolled in a public ~~or private~~ school OF THE
4 SCHOOL DISTRICT IN WHICH THE CHILD RESIDES OR IS ENROLLED ~~to~~ AND
5 MAY".

6
7 after line 27, insert the following:

8
9 **"SECTION 18.** 22-7-605, Colorado Revised Statutes, is amended
10 BY THE ADDITION OF A NEW SUBSECTION to read:

11
12 **22-7-605. School accountability reports - format.** (11)
13 NOTHING IN THIS SECTION SHALL PROHIBIT A SCHOOL DISTRICT, AT ITS
14 OWN EXPENSE, FROM INCLUDING WITH A SCHOOL ACCOUNTABILITY
15 REPORT ADDITIONAL INFORMATION CONCERNING THE PERFORMANCE OF A
16 SCHOOL NOT CONTAINED IN THE SCHOOL ACCOUNTABILITY REPORT
17 DESCRIBED IN THIS SECTION. THE ADDITIONAL INFORMATION AUTHORIZED
18 BY THIS SUBSECTION (11) MAY NOT REFUTE THE RATINGS OR STATEMENTS
19 MADE IN THE REPORT.

20
21 **SECTION 19.** Part 6 of article 7 of title 22, Colorado Revised
22 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
23 read:

24
25 **22-7-607.5. Teacher pay incentive program - repeal.** (1) AS
26 USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

27
28 (a) "ELIGIBLE SCHOOL" MEANS A PUBLIC SCHOOL THAT RECEIVES
29 AN ACADEMIC PERFORMANCE GRADE OF "D" OR "F", PURSUANT TO
30 SECTION 22-7-604, FOR THE 2000-01 SCHOOL YEAR.

31
32 (b) "PROGRAM" MEANS THE TEACHER PAY INCENTIVE PROGRAM
33 ESTABLISHED PURSUANT TO SUBSECTION (2) OF THIS SECTION.

34
35 (c) "TEACHER" MEANS A PERSON WHO IS LICENSED PURSUANT TO
36 ARTICLE 60.5 OF THIS TITLE, OR AUTHORIZED BY A LETTER OF
37 AUTHORIZATION ISSUED PURSUANT TO SECTION 22-60.5-111, TO TEACH
38 AND IS PRIMARILY ENGAGED IN TEACHING DURING THE MAJORITY OF A
39 SCHOOL DAY.

40
41 (2) THERE IS HEREBY ESTABLISHED IN THE DEPARTMENT THE
42 TEACHER PAY INCENTIVE PROGRAM TO PROVIDE MONEYS TO SCHOOL
43 DISTRICTS WITH POORLY PERFORMING SCHOOLS TO RECRUIT AND
44 MAINTAIN QUALITY TEACHERS. IN THE FIRST SCHOOL YEAR FOLLOWING
45 THE YEAR THAT A PUBLIC SCHOOL BECOMES AN ELIGIBLE SCHOOL, AND FOR
46 THREE SUBSEQUENT SCHOOL YEARS, AN ELIGIBLE SCHOOL SHALL RECEIVE
47 A GRANT FROM THE PROGRAM IN THE AMOUNT OF THIRTY THOUSAND
48 DOLLARS PER SCHOOL YEAR. IF, IN ANY SCHOOL YEAR DURING THE PERIOD
49 IN WHICH THE ELIGIBLE SCHOOL RECEIVES GRANTS, THE ELIGIBLE SCHOOL
50 RECEIVES A SCHOOL IMPROVEMENT GRADE OF "A", THE ELIGIBLE SCHOOL
51 SHALL RECEIVE AN ADDITIONAL AWARD OF TWENTY THOUSAND DOLLARS.
52 IF, IN ANY SCHOOL YEAR DURING THE PERIOD IN WHICH THE ELIGIBLE
53 SCHOOL RECEIVES GRANTS, THE ELIGIBLE SCHOOL RECEIVES A SCHOOL
54 IMPROVEMENT GRADE OF "B", THE ELIGIBLE SCHOOL SHALL RECEIVE AN
55 ADDITIONAL AWARD OF TEN THOUSAND DOLLARS.

56

1 (3) (a) MONEYS RECEIVED FROM AN AWARD UNDER THIS SECTION
2 SHALL BE PAID ONLY AS BONUSES TO TEACHERS OR FOR THE PAYMENT OF
3 THE COSTS OF OTHER BENEFITS ASSOCIATED WITH A BONUS PAID TO A
4 TEACHER. THE DISTRICT SCHOOL BOARD OF ANY SCHOOL DISTRICT WITH
5 AN ELIGIBLE SCHOOL SHALL DETERMINE IN ACCORDANCE WITH THIS
6 SECTION THE POLICIES AND PROCEDURES BY WHICH TEACHERS SHALL
7 RECEIVE A BONUS AND THE AMOUNT OF THE BONUS; EXCEPT THAT THE
8 MINIMUM AMOUNT OF A YEARLY BONUS TO A TEACHER SHALL BE ONE
9 THOUSAND DOLLARS. THE BONUSES MAY ONLY BE USED TO:

10

11 (I) REWARD OUTSTANDING TEACHER PERFORMANCE;

12

13 (II) OFFER A RECRUITMENT BONUS TO ENCOURAGE A TEACHER
14 WHO HOLDS A MASTER CERTIFICATE PURSUANT TO SECTION 22-60.5-202
15 TO TEACH AT THE ELIGIBLE SCHOOL OR A RETENTION BONUS TO SUCH A
16 TEACHER WHO HAS TAUGHT AT THE SCHOOL FOR AT LEAST ONE SCHOOL
17 YEAR;

18

19 (III) OFFER A RECRUITMENT BONUS TO ENCOURAGE A TEACHER IN
20 A HARD-TO-RECRUIT SUBJECT OR A RETENTION BONUS TO SUCH A TEACHER
21 WHO HAS TAUGHT AT THE SCHOOL FOR AT LEAST ONE SCHOOL YEAR; OR

22

23 (IV) DEFRAY HOUSING AND LIVING EXPENSES IF AN ELIGIBLE
24 SCHOOL RESIDES IN A COMMUNITY WITH A LACK OF ADEQUATE
25 AFFORDABLE HOUSING.

26

27 (b) (I) TO GIVE A BONUS UNDER SUBPARAGRAPH (I) OF PARAGRAPH
28 (a) OF THIS SUBSECTION (3), THE DISTRICT SCHOOL BOARD OR DISTRICT
29 SUPERINTENDENT MUST SPECIFICALLY IDENTIFY A DATA-DRIVEN
30 EVALUATION AND PERFORMANCE TOOL BASED UPON THE RESULTS OF
31 STUDENT PERFORMANCE ON THE ASSESSMENTS ADMINISTERED PURSUANT
32 TO SECTION 22-7-409 THAT WAS USED TO DETERMINE WHICH TEACHERS
33 SHOULD RECEIVE THE BONUS.

34

35 (II) TO GIVE A RECRUITMENT BONUS UNDER SUBPARAGRAPH (II) OR
36 (III) OF PARAGRAPH (a) OF THIS SUBSECTION (3), THE DISTRICT SCHOOL
37 BOARD OR DISTRICT SUPERINTENDENT MUST IDENTIFY AN OPEN TEACHING
38 POSITION THAT IS FILLED BY A NEW TEACHER.

39

40 (III) THE STATE BOARD SHALL DETERMINE BY RULE WHAT
41 SUBJECTS CONSTITUTE HARD-TO-RECRUIT SUBJECTS FOR PURPOSES OF
42 SUBPARAGRAPH (III) OF PARAGRAPH (a) OF THIS SUBSECTION (3).

43

44 (c) ANY MONEYS RECEIVED BY A TEACHER AS A BONUS PURSUANT
45 TO THIS SECTION SHALL BE IN ADDITION TO ANY OTHER SALARY DUE SUCH
46 TEACHER PURSUANT TO THE SALARY SCHEDULE OR POLICY ADOPTED
47 PURSUANT TO SECTION 22-63-401.

48

49 (4) DURING FEBRUARY, 2005, THE DEPARTMENT SHALL REPORT TO
50 THE GOVERNOR AND TO THE EDUCATION COMMITTEES OF THE SENATE AND
51 THE HOUSE OF REPRESENTATIVES ON THE PROGRAM. SUCH REPORT SHALL
52 INCLUDE BUT NEED NOT BE LIMITED TO:

53

54 (a) WHETHER THE PROGRAM HAD AN IMPACT ON TEACHER
55 RECRUITMENT, RETENTION, AND QUALITY;

56

1 (b) HOW THE CHANGES IN THE OVERALL STANDARDIZED,
2 WEIGHTED SCORES FOR PUBLIC SCHOOLS RECEIVING AWARDS COMPARED
3 TO PUBLIC SCHOOLS THAT DID NOT RECEIVE THE AWARDS;
4

5 (c) WHETHER THERE WAS ANY DIFFERENCE IN THE OVERALL
6 STANDARDIZED, WEIGHTED SCORES FOR ELIGIBLE SCHOOLS THAT USED
7 MONEYS MOSTLY FOR RECRUITMENT AND RETENTION RATHER THAN
8 BONUSES; AND
9

10 (d) WHETHER THE DEPARTMENT RECOMMENDS THAT THE
11 PROGRAM SHOULD BE CONTINUED.
12

13 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2005.
14

15 **SECTION 20.** 22-2-117 (1) (b) (III), Colorado Revised Statutes,
16 is amended to read:
17

18 **22-2-117. Additional power - state board - waiver of**
19 **requirements - rules.** (1) (b) The state board shall not waive any of the
20 requirements specified in any of the following statutory provisions:
21

22 (III) Any provision of part 6 of article 7 of this title pertaining to
23 the data necessary for school ~~report cards~~ ACCOUNTABILITY REPORTS.
24

25 **SECTION 21.** 22-11-104 (2) (a) (II), Colorado Revised Statutes,
26 is amended to read:
27

28 **22-11-104. Accreditation indicators. (2) Contents.** The
29 accreditation indicators shall include but shall not be limited to the
30 following:
31

32 (a) (II) All accreditation indicators relating to the statewide
33 assessments shall be consistent with the methodology for determining
34 academic performance ~~grades~~ RATINGS pursuant to section 22-7-604. The
35 baseline year for the accreditation indicators shall be the 2000 - 2001
36 school year.
37

38 **SECTION 22.** 22-30.5-104 (6), Colorado Revised Statutes, is
39 amended to read:
40

41 **22-30.5-104. Charter school - requirements - authority.**
42 (6) Pursuant to contract, a charter school may operate free from specified
43 school district policies and state regulations. Pursuant to contract, a local
44 board of education may waive locally imposed school district
45 requirements, without seeking approval of the state board. The state
46 board may waive state statutory requirements or rules promulgated by the
47 state board; except that the state board may not waive any statute or rule
48 relating to the assessments required to be administered pursuant to section
49 22-7-409 or necessary to prepare the school ~~report cards~~
50 ACCOUNTABILITY REPORTS pursuant to part 6 of article 7 of this title.
51 Upon request of the charter applicant, the state board and the local board
52 of education shall provide summaries of such regulations and policies to
53 use in preparing a charter school application. The department of
54 education shall prepare the summary of state regulations within existing
55 appropriations. Any waiver of state or local school district regulations
56 made pursuant to this subsection (6) shall be for the term of the charter

1 for which the waiver is made; except that a waiver of state statutes or
2 regulations by the state board shall be subject to review every two years
3 and may be revoked if the waiver is deemed no longer necessary by the
4 state board.

5
6 **SECTION 23.** 22-30.5-204 (1.5), Colorado Revised Statutes, is
7 amended to read:

8
9 **22-30.5-204. Charter school districts - creation - requirements.**
10 (1.5) Notwithstanding the provisions of subsection (1) of this section, all
11 charter school districts shall be subject to the Colorado statewide
12 assessment program established in part 4 of article 7 of this title and shall
13 supply to the department all information required to prepare the school
14 ~~report cards~~ ACCOUNTABILITY REPORTS pursuant to part 6 of article 7 of
15 this title.

16
17 **SECTION 24.** 22-30.5-304 (1) (e) (II) and (1) (f) (II), Colorado
18 Revised Statutes, are amended to read:

19
20 **22-30.5-304. Review committee - membership -**
21 **recommendations.** (1) Whenever an independent charter school is to be
22 organized pursuant to this part 3, on or before January 15 of the year in
23 which the independent charter school is to open, the commissioner shall
24 cause a review committee to be formed. The review committee shall
25 consist of:

26
27 (e) (II) In appointing a principal pursuant to this paragraph (e), the
28 governor shall appoint a principal of a public school that received an
29 academic performance ~~grade~~ RATING of "A" "EXCELLENT", pursuant to
30 section ~~22-7-604~~ 22-7-604 (5), for the immediately preceding school
31 year.

32
33 (f) (II) In appointing a teacher pursuant to this paragraph (f), the
34 governor shall appoint a teacher from a public school that received an
35 academic performance ~~grade~~ RATING of "A" "EXCELLENT", pursuant to
36 section ~~22-7-604~~ 22-7-604 (5); and

37
38 **SECTION 25.** 22-30.5-306 (2) (a), (3) (b), and (5), Colorado
39 Revised Statutes, are amended to read:

40
41 **22-30.5-306. Independent charter schools - charter - term.**
42 (2) With the assistance from the commissioner or the commissioner's
43 designee, the selected applicant and the local board of education shall
44 negotiate the terms of the independent charter, which may be different
45 from or in addition to the terms of the response to the request for
46 proposals; except that:

47
48 (a) The independent charter school shall be entitled to use the
49 school building in which the public school that received an academic
50 performance ~~grade~~ RATING of "F" "UNSATISFACTORY" was operated. The
51 independent charter school and the local board of education shall
52 negotiate an amount of rent to be paid, which shall be not more than
53 twelve dollars per year, and all other costs for the operation and
54 maintenance of the building and related facilities; and

55
56 (3) (b) Notwithstanding the provisions of paragraph (a) of this

1 subsection (3), if, during the year prior to the year in which the
 2 independent charter school is to open, the school receives an academic
 3 performance ~~grade~~ RATING of "~~D~~" "LOW" or better, the local board of
 4 education and the applicant may jointly agree to allow the school to
 5 remain under the administration of the local board of education.

6
 7 (5) (a) If, during the first two years of an independent charter, an
 8 independent charter school receives an academic performance ~~grade~~
 9 RATING of "~~F~~" "UNSATISFACTORY" pursuant to section ~~22-7-604~~ 22-7-604
 10 (5), the independent charter school shall not be subject to the provisions
 11 of section 22-30.5-303 that would require the establishment of a new
 12 independent charter school.

13
 14 (b) If, during the first two years of the independent charter, the
 15 independent charter school receives an academic performance ~~grade~~
 16 RATING of "~~D~~" "LOW" pursuant to section ~~22-7-604~~ 22-7-604 (5), the
 17 independent charter school shall not be subject to the provisions of
 18 section 22-7-608 that require appointment of an assessment team for
 19 low-performing schools.

20
 21 **SECTION 26.** 22-30.5-307 (1) and (2), Colorado Revised
 22 Statutes, are amended to read:

23
 24 **22-30.5-307. Independent charter schools - expiration -
 25 renewal - conversion.** (1) If the academic performance ~~grade~~ RATING of
 26 an independent charter school is a "~~D~~" "LOW" or an "~~F~~"
 27 "UNSATISFACTORY", as determined pursuant to section ~~22-7-604~~ 22-7-604
 28 (5), during the third year of the school's independent charter, the state
 29 board shall issue a new request for proposals pursuant to section
 30 22-30.5-303 (2), and a new independent charter school application
 31 process shall commence.

32
 33 (2) If the academic performance ~~grade~~ RATING of an independent
 34 charter school is higher than a "~~D~~" "LOW", as determined pursuant to
 35 section ~~22-7-604~~ 22-7-604 (5), during the third year of the school's
 36 independent charter, the parents and legal guardians of the students
 37 enrolled at the independent charter school shall decide by majority vote
 38 whether, at the expiration of the independent charter school's charter, the
 39 school shall apply for a renewal of the independent charter or shall seek
 40 to become a regular school of the school district in which the independent
 41 charter school is located.

42
 43 **SECTION 27.** Part 4 of article 7 of title 22, Colorado Revised
 44 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
 45 read:

46
 47 **22-7-411. Student assessments - study - students whose
 48 dominant language is not English - report - repeal.** (1) THE
 49 DEPARTMENT, IN CONJUNCTION WITH THE STUDY COMMITTEE APPOINTED
 50 PURSUANT TO SUBSECTION (2) OF THIS SECTION, SHALL CONDUCT A STUDY
 51 OF THE ADMINISTRATION OF ASSESSMENTS FOR STUDENTS WHOSE
 52 DOMINANT LANGUAGE IS NOT ENGLISH. THE STUDY SHALL INCLUDE, BUT
 53 NEED NOT BE LIMITED TO, AN EXAMINATION AND EVALUATION OF:

54
 55 (a) A CATALOGUE OF THE NUMBER AND TYPES OF LANGUAGES
 56 OTHER THAN ENGLISH THAT ARE SPOKEN AS THE DOMINANT LANGUAGE BY

1 SIGNIFICANT POPULATIONS OF STUDENTS IN COLORADO PUBLIC SCHOOLS,
2 WITH A BREAKDOWN BY SCHOOL DISTRICT FOR EACH LANGUAGE;
3

4 (b) THE EFFECT ON STUDENT ACADEMIC ACHIEVEMENT OF
5 ASSESSMENTS ADMINISTERED IN A LANGUAGE OTHER THAN ENGLISH FOR
6 STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH AND WHOSE
7 ASSESSMENT SCORES ARE NOT USED TO CALCULATE SCHOOL ACADEMIC
8 PERFORMANCE RATINGS PURSUANT TO SECTION 22-7-409 (1.2) (d) (I) (C);
9

10 (c) THE NEED FOR SCHOOL DISTRICTS TO BE HELD ACCOUNTABLE
11 FOR TEACHING STATE CONTENT STANDARDS TO STUDENTS WHOSE
12 DOMINANT LANGUAGE IS NOT ENGLISH AT THE TIME OF ENROLLMENT AND
13 FOR MOVING STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH TO
14 PROFICIENCY IN ENGLISH LANGUAGE LITERACY AND COMPREHENSION;
15

16 (d) THE EFFECT OF BOTH INCLUDING AND NOT INCLUDING THE
17 SCORES OF STUDENTS WHO ARE GIVEN ASSESSMENTS IN LANGUAGES OTHER
18 THAN ENGLISH IN THE CALCULATIONS OF SCHOOL PERFORMANCE RATINGS
19 PURSUANT TO SECTION 22-7-604;
20

21 (e) A SURVEY OF THE TYPES OF ASSESSMENTS USED BY OTHER
22 STATES IN ASSESSING STUDENTS WHOSE DOMINANT LANGUAGE IS NOT
23 ENGLISH AND WHETHER OTHER STATES USE THOSE ASSESSMENT SCORES IN
24 CALCULATING SCHOOL PERFORMANCE RATINGS; AND
25

26 (f) FEDERAL CONSTITUTIONAL, LEGAL, AND REGULATORY ISSUES
27 SURROUNDING THE ASSESSMENT OF STUDENTS WHOSE DOMINANT
28 LANGUAGE IS NOT ENGLISH AND HOW FEDERAL FUNDING OF PUBLIC
29 SCHOOLS MAY BE IMPACTED BY ADMINISTERING SUCH ASSESSMENTS.
30

31 (2) (a) THERE IS HEREBY CREATED A STUDY COMMITTEE TO WORK
32 WITH THE DEPARTMENT IN CONDUCTING THE STUDY REQUIRED BY THIS
33 SECTION. THE STUDY COMMITTEE SHALL CONSIST OF MEMBERS APPOINTED
34 AS PROVIDED IN PARAGRAPHS (b) AND (c) OF THIS SUBSECTION (2).
35 NOTWITHSTANDING THE PROVISIONS OF SECTION 2-2-307 (3) AND (5),
36 C.R.S., ALL MEMBERS OF THE STUDY COMMITTEE, INCLUDING LEGISLATIVE
37 MEMBERS, SHALL SERVE WITHOUT COMPENSATION, INCLUDING PER DIEM
38 AND COMPENSATION FOR EXPENSES.
39

40 (b) FOUR MEMBERS OF THE STUDY COMMITTEE SHALL BE
41 APPOINTED AS FOLLOWS:
42

43 (I) TWO REPRESENTATIVES APPOINTED BY THE SPEAKER OF THE
44 HOUSE OF REPRESENTATIVES WHO ARE NOT MEMBERS OF THE SAME
45 POLITICAL PARTY;
46

47 (II) TWO SENATORS APPOINTED BY THE PRESIDENT OF THE SENATE
48 WHO ARE NOT MEMBERS OF THE SAME POLITICAL PARTY.
49

50 (c) SEVEN MEMBERS OF THE STUDY COMMITTEE SHALL BE
51 APPOINTED BY THE GOVERNOR AS FOLLOWS:
52

53 (I) ONE MEMBER WHO IS A REPRESENTATIVE OF A
54 COMMUNITY-BASED ORGANIZATION THAT FOCUSES ON STUDENTS WHOSE
55 DOMINANT LANGUAGE IS NOT ENGLISH;
56

1 (II) ONE MEMBER WHO IS A REPRESENTATIVE OF AN ASSOCIATION
 2 OF EDUCATORS WHO WORK WITH STUDENTS WHOSE DOMINANT LANGUAGE
 3 IS NOT ENGLISH;

4
 5 (III) ONE MEMBER WHO IS EMPLOYED BY AN INSTITUTION OF
 6 HIGHER EDUCATION IN THIS STATE AND WHO SPECIALIZES IN RESEARCH
 7 REGARDING STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH;

8
 9 (IV) ONE MEMBER WHO IS A MEMBER OF A SCHOOL DISTRICT
 10 BOARD OF EDUCATION IN A SCHOOL DISTRICT THAT ENROLLS A
 11 SIGNIFICANT NUMBER OF STUDENTS WHOSE DOMINANT LANGUAGE IS NOT
 12 ENGLISH;

13
 14 (V) ONE MEMBER WHO IS EMPLOYED AS A SCHOOL
 15 ADMINISTRATOR IN A SCHOOL DISTRICT THAT ENROLLS A SIGNIFICANT
 16 NUMBER OF STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH;

17
 18 (VI) ONE MEMBER WHO IS A CLASSROOM TEACHER WHO SPENDS A
 19 SIGNIFICANT AMOUNT OF TIME TEACHING STUDENTS WHOSE DOMINANT
 20 LANGUAGE IS NOT ENGLISH; AND

21
 22 (VII) ONE MEMBER WHO IS A REPRESENTATIVE OF THE
 23 DEPARTMENT OF EDUCATION.

24
 25 (3) NO LATER THAN DECEMBER 31, 2001, THE DEPARTMENT SHALL
 26 PRESENT ITS FINDINGS REGARDING THE ASSESSMENT OF STUDENTS WHOSE
 27 DOMINANT LANGUAGE IS NOT ENGLISH IN A REPORT TO THE STATE BOARD
 28 OF EDUCATION AND THE EDUCATION COMMITTEES OF THE SENATE AND THE
 29 HOUSE OF REPRESENTATIVES.

30
 31 (4) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT,
 32 FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION,
 33 THE IMPLEMENTATION OF THE STUDY OF ASSESSMENTS ADMINISTERED TO
 34 STUDENTS WHOSE DOMINANT LANGUAGE IS NOT ENGLISH IS AN IMPORTANT
 35 ELEMENT OF ACCOUNTABLE EDUCATION REFORM AND MAY THEREFORE
 36 RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION
 37 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

38
 39 (5) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2002.

40
 41 **SECTION 28.** Title 23, Colorado Revised Statutes, is amended
 42 BY THE ADDITION OF A NEW ARTICLE to read:

43
 44 **ARTICLE 3.9**
 45 **Teacher Loan Forgiveness Program**

46
 47 **23-3.9-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
 48 CONTEXT OTHERWISE REQUIRES:

49
 50 (1) "APPROVED PROGRAM OF PREPARATION" MEANS A PROGRAM
 51 OF STUDY FOR PREPARATION THAT IS APPROVED BY THE COLORADO
 52 COMMISSION ON HIGHER EDUCATION PURSUANT TO SECTION 23-1-121 AND
 53 THAT UPON COMPLETION LEADS TO A RECOMMENDATION FOR LICENSURE
 54 BY AN ACCEPTED INSTITUTION OF HIGHER EDUCATION IN COLORADO.

55
 56 (2) "COMMISSION" MEANS THE COLORADO COMMISSION ON

1 HIGHER EDUCATION.

2

3 (3) "QUALIFIED POSITION" MEANS A TEACHING POSITION IN MATH,
4 SCIENCE, SPECIAL EDUCATION, OR LINGUISTICALLY DIVERSE EDUCATION
5 IN A COLORADO PUBLIC SCHOOL.

6

7 **23-3.9-102. Teacher loan forgiveness pilot program -**
8 **administration - fund - conditions.** (1) THE GENERAL ASSEMBLY
9 HEREBY AUTHORIZES THE COMMISSION TO DEVELOP AND MAINTAIN A
10 TEACHER LOAN FORGIVENESS PILOT PROGRAM FOR IMPLEMENTATION
11 BEGINNING IN THE 2001-02 ACADEMIC YEAR FOR PAYMENT OF ALL OR
12 PART OF THE PRINCIPAL AND INTEREST OF THE EDUCATIONAL LOANS OF
13 EACH FIRST-YEAR TEACHER WHO IS HIRED FOR A QUALIFIED POSITION.
14 REPAYMENT OF LOANS THROUGH THE TEACHER LOAN FORGIVENESS PILOT
15 PROGRAM MAY BE MADE USING MONEYS IN THE TEACHER LOAN
16 FORGIVENESS FUND, CREATED IN THIS SUBSECTION (1), OR MONEYS
17 ALLOCATED TO THE PROGRAM BY THE COLORADO STUDENT OBLIGATION
18 BOND AUTHORITY. THE COMMISSION IS AUTHORIZED TO RECEIVE AND
19 EXPEND GIFTS, GRANTS, AND DONATIONS FOR THE TEACHER LOAN
20 FORGIVENESS PILOT PROGRAM. ONLY GRADUATES OF INSTITUTIONS OF
21 HIGHER EDUCATION WHOSE LOANS HAVE COLORADO STUDENT OBLIGATION
22 BOND AUTHORITY ELIGIBILITY MAY RECEIVE REPAYMENT OF THEIR LOANS
23 USING MONEYS ALLOCATED TO THE PROGRAM BY THE COLORADO STUDENT
24 OBLIGATION BOND AUTHORITY. THERE IS HEREBY CREATED THE TEACHER
25 LOAN FORGIVENESS FUND, WHICH CONSISTS OF ALL MONEYS
26 APPROPRIATED BY THE GENERAL ASSEMBLY FOR THE TEACHER LOAN
27 FORGIVENESS PILOT PROGRAM AND ANY GIFTS, GRANTS, AND DONATIONS
28 RECEIVED FOR SAID PURPOSE. MONEYS IN THE FUND ARE HEREBY
29 CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT OF HIGHER
30 EDUCATION FOR THE TEACHER LOAN FORGIVENESS PILOT PROGRAM. AT
31 THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED
32 MONEYS IN THE FUND SHALL REMAIN THEREIN AND SHALL NOT BE
33 CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

34

35 (2) IN ADDITION TO ANY QUALIFICATIONS SPECIFIED BY THE
36 COMMISSION, TO QUALIFY FOR THE TEACHER LOAN FORGIVENESS PILOT
37 PROGRAM, A TEACHER SHALL:

38

39 (a) GRADUATE FROM AN APPROVED PROGRAM OF PREPARATION;

40

41 (b) MEET LICENSURE REQUIREMENTS PURSUANT TO SECTION
42 22-60.5-201 (1) (b) OR (1) (c) OR 22-60.5-210, C.R.S.;

43

44 (c) DEMONSTRATE PROFESSIONAL COMPETENCIES CONSISTENT
45 WITH STATE BOARD OF EDUCATION RULES IN THE SUBJECT MATTER IN
46 WHICH THE TEACHER OBTAINS A QUALIFIED POSITION; AND

47

48 (d) CONTRACT FOR THE TEACHER'S FIRST YEAR OF TEACHING IN A
49 QUALIFIED POSITION NO EARLIER THAN JUNE 2001, AND NO LATER THAN
50 THE END OF THE 2005-06 ACADEMIC YEAR.

51

52 (3) A TEACHER WHO QUALIFIES UNDER SUBSECTION (2) OF THIS
53 SECTION MAY BE ELIGIBLE FOR UP TO TWO THOUSAND DOLLARS IN LOAN
54 FORGIVENESS FOR THE FIRST YEAR OF TEACHING IN A QUALIFIED POSITION
55 AND UP TO TWO THOUSAND DOLLARS IN LOAN FORGIVENESS FOR EACH OF
56 THE NEXT THREE YEARS OF TEACHING IN A QUALIFIED POSITION.

1 **23-3.9-103. Reporting.** ON OR BEFORE DECEMBER 15, 2002, AND
 2 ON OR BEFORE EACH DECEMBER 15 THEREAFTER, THE COMMISSION SHALL
 3 SUBMIT AN ANNUAL REPORT TO THE EDUCATION COMMITTEES OF THE
 4 SENATE AND THE HOUSE OF REPRESENTATIVES THAT INCLUDES, BUT IS NOT
 5 LIMITED TO, THE NUMBER OF PARTICIPANTS IN THE PROGRAM, THE AMOUNT
 6 OF FUNDS APPLIED TOWARD LOAN FORGIVENESS, AND THE SOURCES OF
 7 THOSE FUNDS.

8
 9 **23-3.9-104. Repeal.** THIS ARTICLE IS REPEALED, EFFECTIVE JULY
 10 1, 2008."

11
 12 Page 37, strike lines 1 through 17 and substitute the following:

13
 14 **"SECTION 29. Appropriation - adjustments to the 2001 long**
 15 **bill.** (1) In addition to any other appropriation, there is hereby
 16 appropriated, to the department of education, for the fiscal year beginning
 17 July 1, 2001, the sum of _____ dollars (\$_____), or so much thereof
 18 as may be necessary, for the implementation of section 22-7-411,
 19 Colorado Revised Statutes. Said sum shall be from the state education
 20 fund created in section 17 (4) of article IX of the state constitution.

21
 22 (2) In addition to any other appropriation, there is hereby
 23 appropriated, out of any moneys in the state education fund, created
 24 pursuant to section 17 of article IX of the state constitution, not otherwise
 25 appropriated, to the department of education, for the fiscal year beginning
 26 July 1, 2001, the sum of twelve million six hundred thirty thousand
 27 dollars (\$12,630,000), or so much thereof as may be necessary, for the
 28 implementation of section 22-7-607.5."

29
 30 Renumber succeeding section accordingly.

31
 32
 33
 34
 35 **INFORMATION & TECHNOLOGY**

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

38
 39 **HJR01-1053** The Committee returns herewith House Joint Resolution
 40 01-1053 because consideration of the measure was
 41 postponed for more than 30 days or until a date beyond the
 42 date for adjournment sine die of the legislative session.
 43 Therefore, under House Rule 25(j)(3), said resolution is
 44 deemed to be postponed indefinitely.

45
 46
 47 **HJR01-1050** be referred out for final action.

48
 49
 50
 51 **MESSAGE FROM THE SENATE**

52 Mr. Speaker:

53
 54 The Senate has voted not to concur in House Amendments to SB01-100
 55 and requests that a Conference Committee be appointed. The President
 56 appointed Senators Gordon, Chairman, Windels and Dyer (Arapahoe) as

1 members of the First Conference Committee on SB01-100. The Senate
2 granted permission to members to consider matters not at issue between
3 the two houses. The bill is transmitted herewith.

4
5 The Senate has voted not to concur in House Amendments to SB01-142
6 and requests that a Conference Committee be appointed. The President
7 appointed Senators McElhany, Chairman, Reeves and Tate as members
8 of the First Conference Committee on SB01-142. The Senate granted
9 permission to members to consider matters not at issue between the two
10 houses. The bill is transmitted herewith.

11
12 The Senate has adopted and returns herewith: HJR01-1052.

13
14
15

16 **APPOINTMENTS TO CONFERENCE COMMITTEE**

17
18 Pursuant to a request from the Senate, the Speaker appointed
19 Representatives Stengel, Chairman, Kester and Bacon as House conferees
20 to the First Conference Committee on **SB01-100**.

21
22
23

24 House in recess. House reconvened.

25
26
27

28 The Committee on Business Affairs & Labor was given permission to
29 meet pursuant to House Rule 25.

30
31
32

33 On motion of Representative Stafford, the House resolved itself into
34 Committee of the Whole for consideration of Special Orders and she was
35 called to the Chair to act as Chairman.

36
37

38 **SPECIAL ORDERS--SECOND READING OF BILL**

39
40

41 The Committee of the Whole having risen, the Chairman reported the title
42 of the following bill had been read (reading at length had been dispensed
43 with by unanimous consent), the bill considered and action taken thereon
44 as follows:

45
46

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

49
50

51 **HB01-1398** by Representative(s) Clapp; also Senator(s) Phillips--
52 Concerning legislative approval of air quality
53 improvement strategies necessary for the redesignation of
54 the Denver region to attainment status for compliance with
55 federal air quality standards, and, in connection therewith,
56 approving the Denver element of the PM-10 state
57 implementation plan.

1 Amendment No. 1, Local Government Report, dated April 30, 2001, and
 2 placed in member's bill file; Report also printed in House Journal, May 1,
 3 page 1486.

4
 5 As amended, ordered engrossed and placed on the Calendar for Third
 6 Reading and Final Passage.

7
 8
 9 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

10
 11 Passed Second Reading: **HB01-1398 amended.**

12
 13 The Chairman moved the adoption of the Committee of the Whole
 14 Report. As shown by the following roll call vote, a majority of those
 15 elected to the House voted in the affirmative, and the Report was
 16 **adopted.**

17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37
	YES 49	NO 0	EXCUSED 16	ABSENT 0																
20	Alexander	Y	Groff	Y	Miller	E	Spence	Y												
21	Bacon	Y	Grossman	Y	Mitchell	Y	Spradley	E												
22	Berry	Y	Hefley	Y	Nuñez	Y	Stafford	Y												
23	Borodkin	E	Hodge	Y	Paschall	E	Stengel	Y												
24	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y												
25	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	Y												
26	Chavez	Y	Jameson	E	Rhodes	E	Tochtrop	Y												
27	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y												
28	Cloer	Y	Kester	E	Romanoff	Y	Vigil	Y												
29	Coleman	Y	King	Y	Saliman	E	Webster	Y												
30	Crane	Y	Larson	E	Sanchez	E	Weddig	Y												
31	Daniel	Y	Lawrence	Y	Schultheis	Y	White	E												
32	Decker	E	Lee	Y	Scott	Y	Williams S.	Y												
33	Fairbank	E	Mace	E	Sinclair	Y	Williams T.	E												
34	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y												
35	Garcia	Y	Marshall	E	Snook	Y	Young	Y												
36							Mr. Speaker	Y												

37
 38
 39
 40
 41 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL**

42
 43 On motion of Representative King, the rules were suspended for
 44 immediate consideration of Senate amendments to the following bill:

45
 46 **HB01-1184** by Representative(s) Veiga; also Senator(s) Perlmutter--
 47 Concerning domestic violence, and making an
 48 appropriation therefor.

49
 50 (Amended as printed in Senate Journal, May 1, pages 1100-1101.)

51
 52 Representative Veiga moved that the House **not concur** in Senate
 53 amendments and that a Conference Committee be appointed with permis-
 54 sion to go beyond the scope of the differences between the House and the
 55 Senate. The motion was declared **passed** by the following roll call vote:

56

	YES 49	NO 0	EXCUSED 16	ABSENT 0
1				
2				
3	Alexander	Y Groff	Y Miller	E Spence Y
4	Bacon	Y Grossman	Y Mitchell	Y Spradley E
5	Berry	Y Hefley	Y Nuñez	Y Stafford Y
6	Borodkin	E Hodge	Y Paschall	E Stengel Y
7	Boyd	Y Hoppe	Y Plant	Y Swenson Y
8	Cadman	Y Jahn	Y Ragsdale	Y Tapia Y
9	Chavez	Y Jameson	E Rhodes	E Tochtrop Y
10	Clapp	Y Johnson	Y Rippey	Y Veiga Y
11	Cloer	Y Kester	E Romanoff	Y Vigil Y
12	Coleman	Y King	Y Saliman	E Webster Y
13	Crane	Y Larson	E Sanchez	E Weddig Y
14	Daniel	Y Lawrence	Y Schultheis	Y White E
15	Decker	E Lee	Y Scott	Y Williams S. Y
16	Fairbank	E Mace	E Sinclair	Y Williams T. E
17	Fritz	Y Madden	Y Smith	Y Witwer Y
18	Garcia	Y Marshall	E Snook	Y Young Y
19				Mr. Speaker Y

21 The Speaker appointed Representatives Lawrence, Chairman, Hefley and
 22 Veiga as House conferees to the bill.

26 REPORTS OF COMMITTEES OF REFERENCE

28 CIVIL JUSTICE & JUDICIARY

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

32 **SB01-226** be referred to the Committee of the Whole with favorable
 33 recommendation.

37 CRIMINAL JUSTICE

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

41 **SB01-236** be referred to the Committee of the Whole with favorable
 42 recommendation.

46 STATE, VETERANS, & MILITARY AFFAIRS

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

50 **HB01-1301** be referred to the Committee of the Whole with favorable
 51 recommendation.

54 **HB01-1362** be referred to the Committee of the Whole with favorable
 55 recommendation.

56

1 **HB01-1379** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Amend printed bill, page 3, line 6, strike "(c)." and substitute "(c)";

6
7 strike lines 7 through 9 and substitute the following:
8

9 "except that, for the purposes of calculating general fund support of said
10 institution in the general appropriation act for the 1986-87 school year,
11 such persons shall not be counted as resident students."
12

13 Page 5, line 6, strike "2001," and substitute "2002,".
14
15
16

17 **HJR01-1046** be amended as follows, and as so amended, be referred out
18 for final action:
19

20 Amend printed joint resolution, page 1, line 2, strike "and moderate";

21 line 7, strike "and moderate";

22 line 14, strike "and moderate";

23
24 after line 14, insert the following:
25

26
27 "WHEREAS, The continued purchase of land for federal, state,
28 county, municipal, higher education, and other public uses is thereby
29 raising the cost of the remaining land; and".
30
31

32 Page 2, line 3, strike "and moderate";

33
34 line 8, strike "an interim committee" and substitute "the affordable
35 housing task force" and strike "in";

36
37 line 9, strike "the interim";

38
39 line 10, strike "and moderate";

40
41 line 12, strike "legislation to" and substitute "solutions that would" and
42 strike "interim committee" and substitute "affordable housing task force";

43
44 line 18, strike "and moderate";

45
46 strike line 20 and substitute the following:

47 "income for home purchasing, down payment assistance, and rental
48 assistance;";

49
50 line 22, strike "and moderate";

51
52 line 28, strike "and";

53
54 after line 28, insert the following:
55

56 "(g) Evaluation and recognition of the negative effects of

1 increased public purchase of private land on affordable housing
2 opportunities;

3

4 (h) Evaluation of the negative effects of United States Housing
5 and Urban Development Section 8 housing regulations on landlords and
6 the burdens placed by such regulations on the owners of affected
7 properties;

8

9 (i) State and local regulatory requirements that increase the costs
10 of development;

11

12 (j) Methods to build an awareness among private companies that
13 employ low-income labor of the need to actively provide housing for their
14 employees as part of their employees' compensation; and".

15

16 Reletter succeeding paragraph accordingly.

17

18 Page 2, line 30, strike "and";

19

20 line 31, strike "moderate";

21

22 line 35, strike "committee" and substitute "task force";

23

24 line 37, strike "Representatives", and substitute "Representatives, in
25 consultation with the Minority Leader of the House of Representatives,".

26

27 Page 3, line 3, strike "interim committee" and substitute "affordable
28 housing task force";

29

30 line 5, after "to", insert "participate in the meetings of the task force and
31 to";

32

33 line 6, strike "committee." and substitute "task force.";

34

35 line 7, strike "interim committee" and substitute "affordable housing task
36 force";

37

38 strike lines 8 through 13 and substitute the following:

39 "and recommendations in a report to the General Assembly no later than
40 January 9, 2002.";

41

42 line 14, strike "interim committee" and substitute "affordable housing task
43 force";

44

45 line 15, strike "_____", and substitute "June";

46

47 strike lines 16 through 28 and substitute the following:

48

49 "(6) That any staff needed to assist the affordable housing task
50 force in conducting its duties shall be provided by nonprofit agencies or
51 private groups.

52

53 (7) That all costs incurred while conducting the study, including,
54 but not limited to, the direct or indirect costs associated with the duties
55 of the affordable housing task force, the costs of research and analysis,
56 compensation for any nonprofit agency or private group that assist the

1 task force by supplying staff support, and any expenses incurred by
 2 members of the task force shall be paid by contributions, grants, services,
 3 and in-kind donations from private sources."

4
 5 Page 1, line 101, strike "AN INTERIM COMMITTEE" and substitute "A
 6 TASK FORCE".

7
 8
 9
 10 **SCR01-002** be referred to the Committee of the Whole with favorable
 11 recommendation.

12
 13
 14
 15 **MESSAGE FROM THE SENATE**

16
 17 Mr. Speaker:

18
 19 The Senate has passed on Third Reading and returns herewith
 20 HB01-1372, 1373

21
 22 The Senate has passed on Third Reading and transmitted to the Revisor
 23 of Statutes: SB01-232, 237, 229;

24
 25 SB01-220, amended as printed in Senate Journal, May 2, page 1111;
 26 SB01-231, amended as printed in Senate Journal, May 2, page 1116;
 27 SB01-227, amended as printed in Senate Journal, May 2, page 1117
 28 and May 3;

29 SB01-235, amended as printed in Senate Journal, May 2, page 1117;
 30 SB01-224, amended as printed in Senate Journal, May 2, pages
 31 1117-1119;

32 SB01-211, amended as printed in Senate Journal, May 2, page 1120;
 33 SB01-234, amended as printed in Senate Journal, May 2, pages
 34 1120-1121 and May 3;

35 HB01-1365, amended as printed in Senate Journal, May 2, page 1121;
 36 HB01-1022, amended as printed in Senate Journal, May 2, page 1121;
 37 HB01-1234, amended as printed in Senate Journal, May 2, page 1121

38
 39
 40 **MESSAGE FROM THE REVISOR**

41
 42 We herewith transmit without comment, SB01-229 and 237; and
 43 without comment, as amended, SB01-220, 232, 231, 227, 235, 224, 211,
 44 234, HB01-1365, 1234, and 1022.

45
 46
 47
 48 **INTRODUCTION OF BILLS**
 49 **First Reading**

50
 51 The following bills were read by title and referred to the committees
 52 indicated:

53
 54 **SB01-211** by Senator(s) Musgrave; also Representative(s) Clapp--
 55 Concerning alternatives to foster care placement.
 56 Committee on Health, Environment, Welfare, & Institutions

- 1 **SB01-220** by Senator(s) Entz, Dyer (Durango); also
2 Representative(s) Snook, Miller--Concerning special
3 license plates for members of the United States Marine
4 Corps.
5 Committee on Transportation & Energy
6
- 7 **SB01-224** by Senator(s) Hagedorn; also Representative(s) Spradley--
8 Concerning the enhancement of health care services for
9 rural areas of Colorado, and, in connection therewith,
10 enhancing flexibility for network adequacy, enhancing
11 provider service networks, creating community contracted
12 health care providers, expanding the use of telemedicine,
13 and creating an interim committee to study health care
14 issues.
15 Committee on Business Affairs & Labor
16 Committee on Appropriations
17
- 18 **SB01-227** by Senator(s) Thiebaut; also Representative(s) Lawrence--
19 Concerning local regulation of hazardous waste sites, and,
20 in connection therewith, expanding the "State Hazardous
21 Waste Incinerator Siting Act" to include all hazardous
22 waste processors.
23 Committee on Local Government
24
- 25 **SB01-229** by Senator(s) Anderson, Perlmutter; also Representative(s)
26 Witwer, Daniel--Concerning the use of performance con-
27 tracts for state-supported institutions of higher education.
28 Committee on Education
29
- 30 **SB01-231** by Senator(s) Entz; also Representative(s) Snook--
31 Concerning the concurrent jurisdiction of the state of
32 Colorado and the United States over newly designated
33 lands dedicated to national park purposes.
34 Committee on Agriculture, Livestock, & Natural Resources
35
- 36 **SB01-232** by Senator(s) Reeves, Tate, Owen; also Representative(s)
37 Young, Berry, Saliman--Concerning an increase in the
38 transfer of moneys from the general fund to the capital
39 construction fund.
40 Committee on Appropriations
41
- 42 **SB01-234** by Senator(s) Reeves, Tate, Owen; also Representative(s)
43 Saliman, Young, Berry--Concerning the date by which the
44 state personnel director shall submit the annual total
45 compensation survey to the governor and the joint budget
46 committee.
47 Committee on Appropriations
48
- 49 **SB01-235** by Senator(s) Tate, Reeves, Owen; also Representative(s)
50 Young, Berry, Saliman--Concerning the repeal of obsolete
51 provisions of state law in order to clarify the status of the
52 Colorado geological survey as a separate division in the
53 department of natural resources.
54 Committee on Agriculture, Livestock, & Natural Resources
55

1 **SB01-237** by Senator(s) Thiebaut; also Representative(s) King--
 2 Concerning the financing of capital construction needs of
 3 charter schools.
 4 Committee on Education

8 **INTRODUCTION OF RESOLUTION**

10 The following resolution was read by title and laid over one day under the
 11 rules:

13 **HR01-1018** by Representative(s) Witwer--Concerning the grant by the
 14 Bill and Melinda Gates Foundation to the Colorado
 15 Children's Campaign to promote the quality of children's
 16 education in Colorado.

18 WHEREAS, The Bill and Melinda Gates Foundation is a
 19 foundation whose primary educational focus is small high schools; and

21 WHEREAS, The Bill and Melinda Gates Foundation has
 22 generously chosen to award a grant of \$8 million to the Colorado
 23 Children's Campaign; and

25 WHEREAS, The three purposes of the grant are to create four
 26 high-tech specialty schools in Colorado with enrollments of
 27 approximately four hundred students apiece, transform three large
 28 existing high schools in Colorado into separate small schools with
 29 specific academic missions, and create a network among existing charter
 30 high schools in Colorado in order to increase communication, share
 31 expenses, and maximize the schools' academic and financial resources;
 32 and

34 WHEREAS, The grant will involve two-to-one matching funds of
 35 \$16 million to be raised from public and private sources over the next five
 36 years; and

38 WHEREAS, The grant will be of tremendous assistance in creating
 39 small, personalized schools in Colorado, which in turn will promote the
 40 active involvement of students in the learning process; and

42 WHEREAS, The generosity and concern of the Bill and Melinda
 43 Gates Foundation toward children's education in Colorado is reflected at
 44 the national level with the Foundation currently having made
 45 contributions totaling \$225 million in K-12 education grants and \$1.3
 46 billion in scholarships; and

48 WHEREAS, The Bill and Melinda Gates Foundation grant to the
 49 Colorado Children's Campaign represents a substantial and welcomed
 50 windfall to the children and their parents of Colorado who will be the
 51 beneficiaries of these funds; now, therefore,

53 *Be It Resolved by the House of Representatives of the Sixty-third*
 54 *General Assembly of the State of Colorado:*

56 That, on behalf of the Colorado Children's Campaign and the

1 people of the state of Colorado, the members of the Colorado House of
2 Representatives extend their deepest and most sincere appreciation to the
3 Bill and Melinda Gates Foundation for its benevolent contribution and
4 unselfish commitment to quality education for the children of Colorado.
5

6 *Be It Further Resolved*, That a copy of this Resolution be sent to
7 the Bill and Melinda Gates Foundation.
8

9

10

11

LAY OVER OF CALENDAR ITEMS

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On motion of Representative King, the following items on the Calendar were laid over until May 4, retaining place on Calendar:

- Consideration of General Orders--**HB01-1305, SB01-204.**
- Consideration of Conference Committee Report--**SB01-140.**
- Consideration of Resolutions--**HJR01-1034, 1035, SJR01-033, HR01-1017, HJR01-1047.**
- Consideration of Memorial--**SJM01-001.**
- Consideration of Senate Amendments--**HB01-1113, 1163, 1236, 1160, 1348, 1025, 1114, 1319, 1132, 1174, 1358, 1161, 1312, 1331, 1366, 1018, 1293, 1367, 1172, 1257, 1100, 1193, 1125, 1313, 1102, 1227, 1017, 1204, 1337.**
- Consideration of Adherence--**SB01-178, 165.**

On motion of Representative King, the House adjourned until 8:30 a.m., May 4, 2001.

Approved:

DOUG DEAN,
Speaker

Attest:

JUDITH RODRIGUE,
Chief Clerk