

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

Sixty-ninth Legislative Day

Monday, March 19, 2001

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

Call to Order By the President at 10:00 a.m.

Roll Call Present--Total, 34.
Absent/Excused--Hagedorn--Total 1.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Tate, reading of the Journal of Friday, March 16, 2001, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Services Correctly revised: HB01-1124, 1323, 1064, HJR01-1017.

COMMITTEE OF REFERENCE REPORTS

The committee recommends the following:

Appropriations After consideration on the merits, the committee recommends that **SB01-005** be referred favorably to the Committee of the Whole.

Appropriations After consideration on the merits, the committee recommends that **SB01-042** be referred favorably to the Committee of the Whole.

Appropriations After consideration on the merits, the committee recommends that **SB01-093** be referred favorably to the Committee of the Whole.

Appropriations After consideration on the merits, the committee recommends that **SB01-095** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, line 102, strike "SERVICES." and substitute "SERVICES, AND MAKING AN APPROPRIATION THEREFOR."

Appropriations After consideration on the merits, the committee recommends that **SB01-113** be referred favorably to the Committee of the Whole.

Appropriations After consideration on the merits, the committee recommends that **SB01-061** be referred favorably to the Committee of the Whole.

Appropriations After consideration on the merits, the committee recommends that **SB01-134** be referred favorably to the Committee of the Whole.

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Appropriations

After consideration on the merits, the committee recommends that **SB01-149** be referred favorably to the Committee of the Whole.

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Appropriations

After consideration on the merits, the committee recommends that **SB01-121** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

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Amend printed bill, page 2, after line 20, insert the following:

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"SECTION 9. Appropriation - adjustment to 2001 long bill.

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(1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the stationary sources control fund created in section 25-7-114.7 (2) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for allocation to the air quality control division, stationary sources, hazardous and toxic control, personal services, for the fiscal year beginning July 1, 2001, the sum of four hundred thirty-eight thousand four hundred one dollars (\$438,401) and 7.9 FTE, or so much thereof as may be necessary, for the implementation of this act.

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(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the stationary sources control fund created in section 25-7-114.7 (2) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for allocation to the air quality control division, stationary sources, hazardous and toxic control, operating expenses, for the fiscal year beginning July 1, 2001, the sum of thirty-eight thousand two hundred sixty-one dollars (\$38,261), or so much thereof as may be necessary, for the implementation of this act.

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(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the stationary sources control fund created in section 25-7-114.7 (2) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2001, the sum of thirty-six thousand ninety-nine dollars (\$36,099) and 0.7 FTE, or so much thereof as may be necessary, for the implementation of this act."

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Renumber succeeding section accordingly.

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Page 1, line 101, strike "**PROGRAM.**" and substitute "**PROGRAM, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**".

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MESSAGE FROM THE HOUSE

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March 16, 2001

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Mr. President:

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The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1256.

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The House has passed on Third Reading and transmitted to the Revisor of Statutes SB01-102, amended on Third Reading as printed in House Journal March 16, page 804.

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The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1319, amended as printed in House Journal, March 15, page 787.

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HB01-1167, amended as printed in House Journal, March 15, page 787.

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HB01-1313, amended as printed in House Journal, March 15, page 788.

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HB01-1355, amended as printed in House Journal, March 15, pages 788-789.

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The House has passed on Third Reading and returns herewith SB01-115,171,155.

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The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB01-003, amended as printed in House Journal, March 15, page 788.

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The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB01-1345, amended as printed in House Journal, March 15, page 788, and amended on Third Reading as printed in House Journal, March 16, page 809.

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The House has voted to concur in the Senate amendments to HB01-1265,1023,1056,1228 and has repassed the bills as so amended.

THIRD READING OF BILLS--FINAL PASSAGE

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

HB01-1124 by Representatives Swenson and Lee; also Senator Nichol--Concerning limitations on the authority to issue special license plates.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hagedorn	E	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dennis	N	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

HB01-1323 by Representatives Hefley and Mitchell; also Senator Linkhart--Concerning the assessment of costs in criminal cases.

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

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

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

HB01-1064 by Representative Scott; also Senator Phillips--Concerning uniform accounting principles for insurers authorized to conduct business within Colorado.

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

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

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

**CHANGES TO THE GENERAL ORDERS--SECOND READING OF BILLS
CONSENT CALENDAR**

HB01-1160 by Representatives Romanoff, Plant, Borodkin, Boyd, Coleman, Larson, Mace, Madden, Ragsdale, Scott, Sinclair, Smith, Stafford, Williams S. and Witwer; also Senator Gordon--Concerning energy-efficient standards for certain new outdoor lighting fixtures funded by the state.

Upon request of Senator Gordon, **HB01-1160** was removed from the March 19, 2001 Consent Calendar and was placed at the end of the General Orders--Second Reading Calendar of Tuesday, March 20, 2001.

HB01-1297 by Representative Spradley; also Senator McElhany--Concerning a prohibition on removing an alcohol beverage from certain licensed premises.

Upon request of Senator Tate, **HB01-1297** was removed from the March 19, 2001 Consent Calendar and was placed at the end of the General Orders--Second Reading Calendar of Tuesday, March 20, 2001.

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

**GENERAL ORDERS--SECOND READING OF BILLS--
CONSENT CALENDAR**

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

HB01-1007 by Representative Swenson; also Senator Nichol--Concerning certain transportation-related agencies involved with the development of mass transit systems in the state.

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

HB01-1078 by Representative Witwer; also Senator Perlmutter--Concerning the authorization of the executive director of the department of human services to sell certain real property situated in Jefferson county.

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

HB01-1281 by Representative Williams T.; also Senator Phillips--Concerning master form instruments for real estate.

Amendment No. 1, Business, Labor and Finance Committee Amendment.
(Printed in Senate Journal, March 9, 2001, page 513.)

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

HB01-1288 by Representatives Schultheis, Crane and Nunez; also Senator Takis--Concerning an increase in civil fees collected by sheriffs.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 14, 2001, pages 539-540.)

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Passed on Second Reading: **HB01-1007, HB01-1078, HB01-1281** as amended, **HB01-1288** as amended.

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On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Governor's Appointments Consent Calendar.

**CHANGES TO THE CONSIDERATION OF GOVERNOR'S APPOINTMENTS--
CONSENT CALENDAR**

Upon request of Senator Tate, the following Governor's Appointments were removed from the March 19, 2001 Consent Calendar and placed on the Senate Calendar of Tuesday, March 20, 2001 for Consideration of Governor's Appointments.

- State Housing Board.
- Colorado School of Mines, Board of Trustees.
- Board of Directors of the Colorado Compensation Insurance Authority.

Upon request of Senator Thiebaut, the following Governor's Appointment was removed from the March 19, 2001 Consent Calendar and placed on the Senate Calendar of Tuesday, March 20, 2001 for Consideration of Governor's Appointments.

- Board of Assessment Appeals.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS--
CONSENT CALENDAR**

On motion of Senator Thiebaut, the following Governor's appointments were confirmed by a roll call vote:

WORKERS' COMPENSATION COST CONTAINMENT BOARD

for terms expiring December 13, 2003:

Linda L. Reno of Eastlake, Colorado, to serve as an employer who has demonstrated good risk management experience with respect to their workers' compensation insurance, appointed;

Jerry L. Mosley of Golden, Colorado, to serve as an employer who has demonstrated good risk management experience with respect to their workers' compensation insurance, reappointed.

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

TEACHER DEVELOPMENT ADVISORY COUNCIL

for terms expiring July 1, 2002:

Patricia Lorraine Martinez of Walsenburg, Colorado, to serve as a teacher who is a leader in education reform from a school in a rural area of the state that has demonstrated improvements in student achievement, appointed;

for terms expiring July 1, 2004:

Dr. Elliot Asp of Highlands Ranch, Colorado, to serve as member with expertise in the area of student assessments and measuring student progress, appointed;

Kelly C. Card of Littleton, Colorado, to serve as a teacher who is a leader in education reform from a school in an urban area of the state that has demonstrated improvements in student achievement, appointed;

Cynthia A. Haws of Denver, Colorado, to serve as a principal who is a leader in education reform from a school in an urban area of the state that demonstrated improvements in student achievement, appointed;

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

STATE BOARD OF AGRICULTURE

for terms expiring January 20, 2005:

Patrick A. Grant of Englewood, Colorado, appointed;

Paula E. Sandoval of Denver, Colorado, appointed;

Reginald Louis Washington, M.D. of Castle Rock, Colorado, reappointed.

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

BANKING BOARD

for a term expiring July 1, 2001:

William A. Mitchell of Superior, Colorado, to serve as an executive director of a state bank and as a representative of the Second Congressional District and as a Republican, appointed.

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

CHILDREN'S BASIC HEALTH PLAN POLICY BOARD

for a term expiring June 30, 2001:

Orville F. Petersen of Grand Junction, Colorado to fill the vacancy occasioned by the resignation of John L. Moss and to serve as a representative of business, appointed.

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

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF HEALTH CARE POLICY AND PLANNING

Effective March 1, 2001, for a term expiring at the pleasure of the Governor.

Karen Reinertson of Aurora, Colorado, to replace James T. Rizzuto who resigned.

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

MEDICAL SERVICES BOARD

for terms expiring July 1, 2004:

Doralyn B. Genova of Grand Junction, Colorado, to serve as a member of the Third Congressional District and as a Democrat, reappointed;

Joseph F. Rall of Florence, Colorado, to serve as a member of the Third Congressional District and as a Republican, appointed;

Julie Reiskin of Denver, Colorado, to serve as a member of the First Congressional District and as a Democrat, reappointed.

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

COLORADO RACING COMMISSION

for a term expiring July 1, 2004:

Arnold L. Mackley of Rifle, Colorado, to serve as a Republican from the Third Congressional District and as a registered elector, reappointed.

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

STATE ELECTRICAL BOARD

for a term expiring July 1, 2002:

Richard D. Brinkley of Glenwood Springs, Colorado, to serve as a representative of electric utility, and as a Republican, to fill a vacancy occasioned by the resignation of David N. Atwood, appointed.

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for a term expiring July 1, 2003:

Leigh Ann McKenna of Boulder, Colorado, to serve as an electrical contractor who has a masters license and as a Democrat, appointed.

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

STATE BOARD FOR COMMUNITY COLLEGES
AND OCCUPATIONAL EDUCATION

For a term expiring July 1, 2002:

Mary G. Buckley of Denver, Colorado, to fill the vacancy occasioned by the resignation of Ed Lyell and to serve as a Democrat from the First Congressional District, appointed.

for terms expiring July 1, 2004:

William T. Martin of Colorado Springs, Colorado, to serve as a Republican from the Fifth Congressional District, reappointed;

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

ADVISORY COMMITTEE TO THE PROPERTY
TAX ADMINISTRATOR

for terms expiring September 1, 2002:

Edward Guy Bosier of Englewood, Colorado, to serve as an assessor from a county with seventy-five thousand or more in population and as a Republican, appointed;

Donald R. Bain of Hugo, Colorado, to serve as a non-assessor from a county with less than seventy-five thousand in population and as a Republican and as Chairman, appointed;

for terms expiring September 1, 2004:

Maclovio C. Martinez of San Acacio, Colorado, to serve as an assessor from a county with less than seventy-five thousand in population and as a Democrat, reappointed;

Stephen Michael Snyder of Grand Junction, Colorado, to serve as a non-assessor from the western slope and as a Republican, appointed;

Patricia A. Richards of Denver, Colorado, to serve as a non-assessor from a county with seventy-five thousand or more in population and as a Democrat, reappointed.

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

MOTION PICTURE AND TELEVISION ADVISORY COMMISSION

for terms expiring June 30, 2004:

Daniel J. O'Brien of Englewood, Colorado, to serve as a Republican from the Fifth Congressional District, reappointed.

David F. Emrich of Denver, Colorado, to serve as a Democrat from the First Congressional District, appointed.

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

Committee of the Whole

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

GENERAL ORDERS--SECOND READING OF BILLS

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

HB01-1113 by Representative Coleman; also Senator Linkhart--Concerning the duty of the department of corrections, division of adult parole, to inform the public before acquiring a site to operate as a branch parole office.

(Amended in General Orders as printed in Senate Journal, March 16, 2001, page 557-558)

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

HB01-1238 by Representatives Stafford, Clapp, Cloer, Johnson and Lee; also Senator Hillman--Concerning a prohibition on the therapeutic technique known as rebirthing, and, in connection therewith, creating an additional prohibited activity for mental health professionals who use the rebirthing technique.

Laid over until Tuesday, March 20, 2001, retaining its place on the calendar.

HB01-1236 by Representative Witwer; also Senator Hanna--Concerning a requirement for the use of the same preauthorization mechanism in the determination to provide coverage for the treatment of a biologically based mental illness as is used in the determination to provide coverage for any other physical illness.

Laid over until Tuesday, March 20, 2001, retaining its place on the calendar.

HB01-1210 by Representative Sinclair; also Senator Arnold--Concerning the authorization of electronic hearings in situations where citations for certain driving offenses may cause individuals to lose their driver's licenses.

Laid over until Tuesday, March 20, 2001, retaining its place on the calendar.

HB01-1226 by Representatives Miller and Lee; also Senator Teck--Concerning prisoner lawsuits.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 14, 2001, page 539.)

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

HB01-1187 by Representative Hefley; also Senator Linkhart--Concerning procedural changes for the strengthening of criminal laws.

- HB01-1187**

(Amended in General Orders as printed in Senate Journal, March 16, 2001, page 557.)

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

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- HB01-1275**

by Representative Paschall; also Senator Hagedorn and May--Concerning the Colorado institute of technology.

Laid over until Tuesday, March 20, 2001, retaining its place on the calendar.

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- HB01-1325**

by Representative Mitchell; also Senator Anderson--Concerning requirements for a stillborn fetus.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 14, 2001, page 543.)

Amendment No. 2(L.007), by Senator Anderson.

Amend reengrossed bill, page 3, line 11, strike "FILE" and substitute "ASSUME RESPONSIBILITY FOR FILING";

line 19, strike "CERTIFICATE AND A DEATH" and substitute "CERTIFICATE. THE STATE REGISTRAR SHALL CONFIRM SUCH INFORMATION AND COMPLETE THE DEATH CERTIFICATE ACCORDINGLY.";

strike line 20.

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

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- HB01-1224**

by Representative Witwer; also Senator Evans--Concerning the administration of the property tax exemption for qualifying seniors created under section 3.5 of article X of the state constitution by a vote of the people at the 2000 general election.

Amendment No. 1, Business, Labor and Finance Committee Amendment.
(Printed in Senate Journal, March 14, 2001, page 541.)

Amendment No. 2(L.009), by Senator Evans.

Amend reengrossed bill, page 11, line 20, strike "THE EXEMPTION" and substitute "PROPERTY TAXES NOT PAID AS A RESULT OF THE EXEMPTION BEING";

line 24, strike "EXEMPTION THAT WOULD HAVE BEEN ALLOWED" and substitute "PROPERTY TAXES THAT WOULD NOT HAVE HAD TO BE PAID".

Page 12, line 16, strike "THE EXEMPTION" and substitute "PROPERTY TAXES NOT PAID AS A RESULT OF THE EXEMPTION BEING".

Page 17, line 26, strike "15," and substitute "15".

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

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- HB01-1283**

by Representatives Rhodes, Fairbank, Paschall and White; also Senator Hagedorn--Concerning the bonding authority of the Colorado housing and finance authority, and, in connection therewith, eliminating the dollar limitation on the amount of bonds that the authority may issue and prohibiting the authority from establishing new capital reserve funds used for the payment of bonds.

Laid over until Tuesday, March 20, 2001, retaining its place on the calendar.

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- HB01-1249**

by Representatives Rippy, Dean, Larson, Stengel, Swenson and Fritz; also Senator Phillips--Concerning the implementation of the division of wildlife's total licensing project.

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

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- HB01-1012**

by Representatives Stengel and Plant; also Senator Dyer (Durango)--Concerning changes in the fiscal policies of the division of wildlife to allow operation as an enterprise for purposes of section 20 of article X of the state constitution.

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

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HB01-1163	by Representatives Marshall, Dean, Groff, King, Saliman and Spence; also Senators Matsunaka, Tate and Tupa--Concerning the integration of information technology education into the public school curriculum.	1 2 3 4
	Laid over until Friday, March 23, 2001, retaining its place on the calendar.	5 6
HB01-1348	by Representative Williams S.; also Senator Pascoe--Concerning the use of scores of students with individual educational programs.	7 8 9
	Laid over until Tuesday, March 20, 2001, retaining its place on the calendar.	10 11
HB01-1232	by Representative Spence; also Senators Matsunaka and Dyer (Arapahoe)--Concerning plans to use the constitutionally mandated one percent increase in state funding for public schools.	12 13 14 15
	Ordered revised and placed on the calendar for Third Reading and Final Passage.	16 17
SB01-205	by Senator Takis; also Representative T. Williams--Concerning the continuation beyond their scheduled termination date in the current calendar year of certain health benefit plans for small employers .	18 19 20 21
	<u>Amendment No. 1, Business, Labor and Finance Committee Amendment.</u> (Printed in Senate Journal, March 9, 2001, page 512.)	22 23 24
	As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	25 26 27
HB01-1096	by Representative Vigil; also Senator Hagedorn--Concerning the authority to allow recipients to supplement the amount received through the child care assistance program.	28 29 30
	Laid over until Tuesday, March 20, 2001, retaining its place on the calendar.	31 32
HB01-1346	by Representative Rippey; also Senator Taylor--Concerning an exemption from the requirement of legislative review for specific revisions to the state implementation plan relating to air quality.	33 34 35 36
	Ordered revised and placed on the calendar for Third Reading and Final Passage.	37 38
	On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Second Reading--General Orders calendar (HB01-1025) of Monday, March 19, 2001, was laid over until Tuesday, March 20, 2001, retaining its place on the calendar.	39 40 41 42 43
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ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE		45
	On motion of Senator Pascoe, the Report of the Committee of the Whole was adopted and, a majority of all members elected having voted in the affirmative, the following action was taken:	46 47 48 49
	Passed on Second Reading: HB01-1113 as amended, HB01-1226 as amended, HB01-1187 as amended, HB01-1325 as amended, HB01-1224 as amended, HB01-1249 , HB01-1012 , HB01-1232 , SB01-205 as amended, HB01-1346 .	50 51 52 53
	Laid over until Tuesday, March 20, 2001: HB01-1238 , HB01-1236 , HB01-1210 , HB01-1275 , HB01-1283 , HB01-1348 , HB01-1096 , HB01-1025 .	54 55
	Laid over until Friday, March 23, 2001: HB01-1163 .	56 57
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MESSAGE FROM THE GOVERNOR		59
Appointment	Letter of designation and appointment from Governor Owens was read and assigned to the Committee as follows:	60 61 62
	March 6, 2001	63 64 65
	To the Honorable Colorado Senate Colorado General Assembly State Capitol Building Denver, CO 80203	66 67 68 69 70 71
	Ladies and Gentlemen:	72

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and reappoint, and submit to your consideration, the following:

MEMBERS OF THE STATE BOARD OF HUMAN SERVICES

for terms expiring March 1, 2005:

Shirl McGuire-Belden of Grand Junction, Colorado, to serve as a member of the public, reappointed;

Carole J. Custer of Westcliffe, Colorado, to serve as a member of the public, reappointed;

Bruce Brian Bass of Brush, Colorado, to serve as a member of the public, reappointed;

Patricia Delores Baca of Denver, Colorado, to serve as a member of the public, reappointed.

Sincerely,
(signed)
Bill Owens
Governor

Rec'd: 3/15/01
H. Horvath, Asst. to the Secretary

Committee on Health, Environment, Children and Families.

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: **HB01-1073, 1076, 1095, 1128, 1152, 1154.**

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, March 19, 2001, was laid over until Tuesday, March 20, 2001, retaining its place on the calendar.

Consideration of Resolutions: **HJR01-1014, SJR01-013, SJR01-019, SJR01-010.**
Consideration of House Amendments to Senate Resolution: **SJR01-015.**
Consideration of House Adherence: **HJR01-1010.**

Senate in Recess--Senate Reconvened.

COMMITTEE OF REFERENCE REPORTS

The committee recommends the following:

Business,
Labor and
Finance

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

MEMBERS OF THE SECURITIES BOARD

for terms expiring July 1, 2003:

Steven W. Palamar of Telluride, Colorado, to serve as a public member and as a Republican, appointed;

Mashenka Lundberg of Denver, Colorado, to fill the vacancy occasioned by resignation of Paul E. Washington and to serve as a licensed attorney conversant in securities law and as a Republican, appointed.

MESSAGE FROM THE HOUSE

March 19, 2001

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1361.

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The House has adopted and returns herewith SJR01-016.

March 19, 2001

Mr. President:

The House has postponed indefinitely SB01-051. The bill is returned herewith.

MESSAGE FROM THE REVISOR

We herewith transmit:

without comment, HB01-1361.

INTRODUCTION OF BILLS--FIRST READING

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

- HB01-1167** by Representatives Paschall, King, Rhodes and Saliman; also Senators Gordon, Hagedorn, Lamborn and Perlmutter--Concerning damages in wrongful death cases.
Judiciary
- HB01-1256** by Representative Webster; also Senator Phillips--Concerning an expansion of the definition of "farm equipment" under the state sales and use tax to include dairy equipment.
Business, Labor, and Finance
- HB01-1313** by Representative Jahn; also Senator Linkhart--Concerning the creation of a Colorado income tax credit for individual taxpayers who incur nonreimbursed expenses in connection with providing foster care for children who are under the age of eighteen years.
Business, Labor, and Finance
- HB01-1319** by Representatives Marshall and Saliman; also Senators Takis and Reeves--Concerning health insurance for persons identified as high risk, and, in connection therewith, codifying the name of the existing state program for providing coverage to such persons as "CoverColorado", clarifying eligibility for the program, allowing health care coverage of dependents in the program, and creating an assessment to be paid by health benefit plan carriers authorized to conduct business in Colorado.
Business, Labor, and Finance
- HB01-1345** by Representatives Hoppe, Miller, Snook, Rippey and Webster; also Senator Dyer (Durango)--Concerning the creation of the mineral and energy reclamation trust fund for the purpose of repairing damage to land following the extraction of certain elements.
Public Policy and Planning
- HB01-1355** by Representatives Fairbank, Lee, Alexander, Berry, Cadman, Clapp, Cloer, Crane, Dean, Decker, Fritz, Hefley, Hoppe, Johnson, Kester, King, Larson, Lawrence, Mitchell, Nunez, Paschall, Rhodes, Rippey, Schultheis, Scott, Sinclair, Smith, Snook, Spence, Spradley, Stafford, Stengel, Swenson, Webster, White, Williams T., Witwer and Young; also Senators Hillman, Andrews, Cairns, Chlouber, Dyer (Arapahoe), Evans, Lamborn, May, McElhany, Musgrave, Taylor and Teck--Concerning the procedures involved with the waiver of educational laws granted by the state board of education.
Education
- HB01-1361** by Representatives Lawrence, Larson and Miller; also Senator Phillips--Concerning the authority of the department of corrections to enter into lease-purchase agreements to fund construction of certain correctional facility expansions.
Public Policy and Planning

MESSAGE FROM THE GOVERNOR

March 16, 2001

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

Ladies and Gentlemen:

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

S.J.R. 01-004 - Concerning Addition And Modification To The Drinking Water Revolving Fund Eligibility List.

Approved March 16, 2001 at 2:28 p.m.

S.J.R. 01-005 - Concerning Additions And Modification To The Water Pollution Control Revolving Fund Eligibility List.

Approved March 16, 2001 at 2:34 p.m.

Sincerely,
(signed)
Bill Owens
Governor

Rec'd: 3/19/01
H. Horvath, Asst. to the Secretary

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: **HB01-1004 and 1211.**

The President has signed: **SR01-009, SJR01-011, SJR01-014.**

TRIBUTES--A POINT OF INTEREST

- Honoring Casey Decker by Senator Marilyn Musgrave
 - Honoring Justin Moos by Senator Marilyn Musgrave
 - Honoring Robbie Doman by Senator Marilyn Musgrave
 - Honoring Alyson Colver by Senator Marilyn Musgrave
 - Honoring Tyler Haner by Senator Marilyn Musgrave
 - Honoring Martin Beauprez by Senator Marilyn Musgrave
 - Honoring Daniel Neal by Senator Marilyn Musgrave
 - Honoring Eric Gonzalez by Senator Marilyn Musgrave
 - Honoring Brandon LeFever by Senator Marilyn Musgrave
 - Honoring Derrick Kyte by Senator Marilyn Musgrave
 - Honoring Rudolfo Mendez by Senator Marilyn Musgrave
 - Honoring Jacob Peydler by Senator Marilyn Musgrave
 - Honoring Craig Potthoff by Senator Marilyn Musgrave
 - Honoring Chris Panabaker by Senator Marilyn Musgrave
 - Honoring Jacob Shepard by Senator Marilyn Musgrave
 - Honoring Matt Rider by Senator Marilyn Musgrave
 - Honoring Tye Stencil by Senator Marilyn Musgrave
 - Honoring Brady Walter by Senator Marilyn Musgrave
 - Honoring Jim "Dr. Daddio" Walker by Senator Penfield Tate
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On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., Tuesday, March 20, 2001.

Approved:

Stan Matsunaka
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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