

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

Fifty-first Legislative Day Thursday, March 1, 2001

Prayer By the chaplain, Rabbi Jeffrey Kaye, Director, Chaplaincy Services, Rose Medical Center.

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

Roll Call Present--Total, 32.
Absent/Excused--Andrews, Owen, Tupa--Total 3.
Present later--Tupa.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator May, reading of the Journal of Wednesday, February 28, 2001, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Services Correctly reengrossed: SB01-079, 169.

COMMITTEE OF REFERENCE REPORTS

The committees recommend the following:

Agriculture and Natural Resources The committee has had under consideration and has had a hearing on the following appointments and recommends that the appointments be favorably referred to the Committee on Education:

MEMBERS OF THE
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.

Judiciary After consideration on the merits, the committee recommends that **HB01-1190** be postponed indefinitely.

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB01-1209** be referred favorably to the Committee of the Whole.

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB01-1056** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation and be placed on the consent calendar.

Amend reengrossed bill, page 2, strike lines 2 through 24.

Page 3, strike line 1.

Re-number succeeding sections accordingly.

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Public Policy and Planning

After consideration on the merits, the committee recommends that **HB01-1061** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation and be placed on the consent calendar.

Amend reengrossed bill, page 2, line 17, strike "SERVICES WHO DOES NOT ENGAGE IN THIRD-PARTY BILLING." and substitute "SERVICES."

Public Policy and Planning

After consideration on the merits, the committee recommends that **HB01-1084** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation and be placed on the consent calendar.

Amend reengrossed bill, page 4, strike lines 26 and 27 and substitute the following:

"(1) WHEN THE METHOD OF DIALING A LOCAL CALL FROM AN MLTS TELEPHONE REQUIRES THE DIALING OF AN ADDITIONAL DIGIT TO ACCESS THE PUBLIC SWITCHED NETWORK," .

Public Policy and Planning

After consideration on the merits, the committee recommends that **HB01-1001** be referred to the Committee of the Whole with favorable recommendation and be placed on the consent calendar.

MESSAGE FROM THE HOUSE

February 28, 2001

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1012, 1340, 1349.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1338, amended as printed in House Journal, February 27, page 621. HB01-1151, amended as printed in House Journal, February 27, page 639. HB01-1160, amended as printed in House Journal, February 27, page 639-640. HB01-1163, amended as printed in House Journal, February 27, page 640. HB01-1175, amended as printed in House Journal, February 27, pages 640-641. HB01-1336, amended as printed in House Journal, February 27, page 642.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB01-1300, amended as printed in House Journal, February 27, page 641, and amended on Third Reading as printed in House Journal, February 28.

INTRODUCTION OF RESOLUTIONS

SJR01-013

By Senator Thiebaut; also Representative Spradley--Concerning setting the convening date for the next regular session of the general assembly.

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

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders--Second Reading of Bills Consent Calendar (**HB01-1128, HB01-1021, HB01-1230, HB01-1179**) of Thursday, March 1, 2001, was laid over until the end of the Consent Calendar on Monday, March 5, 2001, retaining its place on the Calendar.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders--Second Reading of Bills Calendar (**HB01-1011, HB01-1095, HB01-1027, HB01-1168, HB01-1117**) of Thursday, March 1, 2001, was laid over until Friday, March 2, 2001, retaining its place on the Calendar.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar (**HJR01-1014**) of Thursday, March 1, 2001, was laid over until Friday, March 2, 2001, retaining its place on the Calendar.

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 General Orders--Second Reading of Bills Consent Calendar of Friday, March 2, 2001.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders--Second Reading of Bills Consent Calendar (**HB01-1115**) of Friday, March 2, 2001, was laid over until the end of the General Orders--Second Reading of Bills Consent Calendar on Monday, March 5, 2001, retaining its place on the Calendar.

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 of Friday, March 2, 2001.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Governor's Appointments Consent Calendar of Friday, March 2, 2001, was laid over until the end of the Governor's Appointments Consent Calendar of Monday, March 5, 2001, retaining its place on the Calendar.

MESSAGE FROM THE GOVERNOR

Appointment A letter of designation and appointment from Governor Owens was read and assigned to Committee as follows:

February 28, 2001

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:
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 submit to your consideration, the following:

EXECUTIVE DIRECTOR
OF THE
DEPARTMENT OF HEALTH CARE POLICY
AND FINANCING

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.

Sincerely,
(signed)
Bill Owens
Governor

Rec'd: 2/28/01
H. Horvath, Asst. to the Secretary

Committee on Health, Environment, Children and Families.

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: **SB 01-179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199.**

MESSAGE FROM THE HOUSE

March 1, 2001

Mr. President:

The House has adopted and transmits herewith HJR01-1015, as printed in House Journal, February 23, pages 573-575.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR01-1015 By Representative Lawrence; also Senator Windels--Concerning commending the Peace Corps on the occasion of its fortieth anniversary.

The resolution was read at length and Senator Thiebaut moved to suspend Senate Rule 30(e) for immediate consideration of HJR01-1015.

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

On motion of Senator Windels, the resolution was adopted by the following roll call vote:

Table with 4 columns: YES (33), NO (0), EXCUSED (2), ABSENT (0). Rows list names and their corresponding votes (Y, E).

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

Senate in Recess--Senate Reconvened.

SENATE SERVICES REPORT

Senate Services To the Governor for signature on Thursday, March 1, 2001, at 11:30 am: SB 01-179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199.

COMMITTEE OF REFERENCE REPORTS

The committee recommends the following:

Government, Veterans and Military Relations, and Transportation After consideration on the merits, the committee recommends that HB01-1009 be referred favorably to the Committee of the Whole and be placed on the consent calendar.

Government, Veterans and Military Relations, and Transportation After consideration on the merits, the committee recommends that HB01-1010 be referred favorably to the Committee of the Whole and be placed on the consent calendar.

Government, Veterans and Military Relations, and Transportation After consideration on the merits, the committee recommends that HB01-1078 be referred favorably to the Committee on Business, Labor, and Finance.

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Agriculture
and Natural
Resources

After consideration on the merits, the committee recommends that **HB01-1246** be referred favorably to the Committee of the Whole.

MESSAGE FROM THE REVISOR

We herewith transmit:

with comment, as amended, HB01-1151.

We herewith transmit:

without comment, HB01-1012, 1340, and 1349; and

without comment, as amended, HB01-1338, 1160, 1163, 1175, 1300, and 1336.

INTRODUCTION OF BILLS--FIRST READING

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

- SB01-205** by Senator Takis--Concerning the continuation beyond their scheduled termination date in the current calendar year of certain health benefit plans for small employers.
Business, Labor, and Finance
- 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.
Agriculture and Natural Resources
- HB01-1151** by Representatives Sinclair, Johnson, Lee, Miller, Nunez, Scott and Witwer; also Senator Lamborn--Concerning an exclusion from Colorado taxable income earned by active duty members of the armed forces of the United States who are Colorado residents.
Public Policy and Planning
- 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.
Agriculture and Natural Resources
- 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.
Education
- HB01-1175** by Representative Williams T.; also Senator McElhany--Concerning the consolidation of administrative adjudication functions, and, in connection therewith, creating the division of administrative justice in the department of personnel, transferring certain administrative law judges from other state agencies to the new division, providing funding for the new division, making certain types of final agency actions subject to judicial review by the court of appeals, and making an appropriation in connection therewith.
Public Policy and Planning
- HB01-1300** by Representative Rhodes; also Senator Musgrave--Concerning a prohibition on certain requirements related to relationships with labor organizations in contracts for public projects by public entities.
Business, Labor, and Finance
- HB01-1336** by Representatives Weddig, Bacon, Borodkin, Boyd, Garcia, Grossman, Jahn, Lee, Mitchell and Vigil; also Senator Lamborn--Concerning the determination of a maximum lawful speed on state highways.
Judiciary
- HB01-1338** by Representative Cloer; also Senator Hernandez--Concerning the authority of counties to provide an incentive to participants who marry while participating in the Colorado works program.
Health, Environment, Children & Families

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HB01-1340 by Representatives Miller, Larson and Lawrence; also Senators McElhany, Phillips and Windels--Concerning amendments that conform current law to prior statutory changes regarding the review of certain facility program plans by a joint committee of the general assembly.
 Government, Veterans and Military Relations, and Transportation

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HB01-1349 by Representatives Johnson and Swenson; also Senator Phillips--Concerning clarification that the term "raffle" includes the game commonly referred to as a "duck race" for purposes of the "Bingo and Raffles Law".
 Business, Labor, and Finance

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HB01-1350 by Representative Webster; also Senator Hillman--Concerning measures to protect the interests of landowners when destructive rodent pests are released into a county.
 Judiciary

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INTRODUCTION OF RESOLUTIONS

SJR01-014 By Senator Gordon; also Representative Coleman--Concerning Lymphedema D-Day.

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

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On motion of Senator Phillips, the Senate adjourned until 9:00 a.m., Friday, March 2, 2001.

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Approved:

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Stan Matsunaka
 President of the Senate

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Attest:

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Karen Goldman
 Secretary of the Senate

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