

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

Forty-eighth Legislative Day

Monday, February 26, 2001

Prayer By the chaplain, Dan O'Dell, Montclair United Methodist Church.

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

Roll Call Present--Total, 32.
Absent/Excused--Dennis, Epps, Linkhart--Total 3.
Present later--Dennis, Linkhart.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator May, reading of the Journal of Friday, February 23, 2001, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

The committees recommend the following:

Education After consideration on the merits, the committee recommends that **HB01-1186** be referred favorably to the Committee of the Whole.

Health, Environment, Children and Families The committee has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBER OF THE
STATE BOARD OF NURSING

for a term expiring July 1, 2002:

Marilyn Rose Hadley of Greeley, Colorado, to fill the vacancy occasioned by resignation of Ronald L. Summers and to serve as a licensed practical nurse, appointed;

for a term expiring July 1, 2003:

Cheryl Ann Werner of Atwood, Colorado, to serve as a licensed practical nurse employed by a licensed hospital in a rural area, appointed.

Health, Environment, Children and Families After consideration on the merits, the committee recommends that **HB01-1004** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 2, line 5, after "(a)", insert "(I)";

line 15, strike "IN THE" and substitute "AFTER THE RECEIPT OF TWELVE CUMULATIVE MONTHS OF DISREGARD,";

line 16, strike "SECOND YEAR,";

after line 24, insert the following:

"(II) ANY COUNTY THAT OPERATES A MANUAL OR ELECTRONIC SYSTEM FOR INCREASING EARNED INCOME DISREGARDS THAT WAS IN PLACE AS OF DECEMBER 31, 2000, MAY CONTINUE WITH THAT CALCULATION OR SHALL FOLLOW THE REQUIREMENTS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a)."

Health,
Environment,
Children
and Families

After consideration on the merits, the committee recommends that **HB01-1048** be referred favorably to the Committee of the Whole.

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Health,
Environment,
Children
and Families

After consideration on the merits, the committee recommends that **HB01-1053** be referred favorably to the Committee of the Whole.

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Health,
Environment,
Children
and Families

After consideration on the merits, the committee recommends that **HB01-1080** be referred favorably to the Committee of the Whole.

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MESSAGE FROM THE HOUSE

February 23, 2001

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1286.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1297, amended as printed in House Journal, February 22, pages 499-500. HB01-1161, amended as printed in House Journal, February 22, page 500. HB01-1320, amended as printed in House Journal, February 22, pages 500-501.

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MESSAGE FROM THE REVISOR

We herewith transmit:

without comment, as amended, HB01-1297, 1161, and 1320.
without comment, HB01-1286.

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THIRD READING--FINAL PASSAGE OF BILLS

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

SB01-034

by Senator Owen; also Representative Williams T.--Concerning the regulation of insurance producers by the division of insurance.

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

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YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
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	E	Linkhart	E	Reeves	Y		

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

SB01-038

by Senator McElhany; also Representative Rippy--Concerning the authority of counties to adopt subdivision regulations that entitle subdividers to fair-share reimbursement of the cost of improvements from owners of property that benefits from the improvements.

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

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SB01-038

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	Y	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	E	Linkhart	Y	Reeves	Y		

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

SB01-145

by Senator Phillips; also Representative Witwer--Concerning the enforceability of environmental real covenants.

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	Y	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	E	Linkhart	Y	Reeves	Y		

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

SB01-120

by Senator Musgrave; also Representative Hefley--Concerning the definition of "significant family risk factors" for purposes of the Colorado preschool program.

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	Y	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	N	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	E	Linkhart	Y	Reeves	Y		

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

Co sponsor added: Cairns.

SB01-201

by Senator Dennis; also Representative Fairbank--Concerning continuation of the regulation of passenger tramways by the passenger tramway safety board in the division of registrations.

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

Third Reading Amendment, by Senator Dennis.

Amend engrossed bill, page 2, line 10, strike "(34)," and substitute "(39) (b),";

line 11, strike "PARAGRAPH" and substitute "SUBPARAGRAPH";

line 13, strike "(34)" and substitute "(39) (b)";

line 15, strike "(h)" and substitute "(XII)".

SB01-201

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

The question being "Shall the bill, as amended, 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	Y	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	E	Linkhart	Y	Reeves	Y		

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

Co sponsor added: Taylor.

SB01-130

by Senator Evans; also Representative Nunez--Concerning the reclassification of counties for purposes of fixing certain county fees.

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	Y	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	E	Linkhart	Y	Reeves	Y		

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

Co sponsor added: Lamborn.

SB01-151

by Senator Hernandez; also Representative Mace--Concerning César Chávez day.

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	Y	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	E	Linkhart	Y	Reeves	Y		

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

Co sponsors added: Dyer (Durango), Fitz-Gerald, Gordon, Hagedorn, Hanna, Linkhart, Pascoe, Takis, Tate, Thiebaut, Tupa, Windels.

SB01-136

by Senator Gordon; also Representative Veiga--Concerning campaign finance.

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

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SB01-136

YES	18	NO	16	EXCUSED	1	ABSENT	0
Anderson	N	Evans	N	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	N	Gordon	Y	Musgrave	N	Taylor	N
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	N
Chlouber	N	Hanna	Y	Owen	N	Thiebaut	Y
Dennis	N	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	N	Hillman	N	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	E	Linkhart	Y	Reeves	Y		

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

Co sponsors added: Hernandez, Pascoe, Tupa, Windels.

SB01-086

by Senator Nichol; also Representative Scott--Concerning county acquisition by eminent domain of rights-of-way to permit the uninterrupted continuation or connection of recreational trails.

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

YES	24	NO	10	EXCUSED	1	ABSENT	0
Anderson	N	Evans	N	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	N	Taylor	N
Cairns	Y	Hagedorn	Y	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.	N	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	E	Linkhart	Y	Reeves	Y		

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

SB01-158

by Senators Pascoe, Gordon, Takis and Windels; also Representative Smith--Concerning spousal maintenance.

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

YES	32	NO	2	EXCUSED	1	ABSENT	0
Anderson	N	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
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	E	Linkhart	Y	Reeves	Y		

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

SB01-165

by Senator Windels; also Representative King--Concerning timing issues for charter schools.

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	Y	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	E	Linkhart	Y	Reeves	Y		

SB01-165

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

Co-sponsor added: Anderson.

SB01-123

by Senators Anderson, Lamborn, Linkhart, Reeves, Taylor and Windels; also Representatives Young and Miller--Concerning the required expenditure of a portion of a school district's per pupil operating revenue for the school district's preschool program.

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	Y	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	E	Linkhart	Y	Reeves	Y		

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

Co sponsor added: Matsunaka.

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 Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR01-011

by Senators Pascoe, Thiebaut, Gordon, Tupa, and Windels; also Representatives Romanoff, Daniel, Groff, Hefley, King, Lee, Spence, White, Williams S. and Williams T.-Concerning the commendation of Dr. Janette Benson for being named 2000 Colorado Professor of the Year.

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

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	Y	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	E	Linkhart	Y	Reeves	Y		

Co-sponsors added: The morning roll call.

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

HB01-1085

by Representative Sinclair; also Senators Takis and Nichol--Concerning the selection process for employment in the state personnel system.

Upon request of Senator Takis, **HB01-1085** was removed from the February 26, 2001 Consent Calendar and was placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, February 27, 2001.

Committee of the Whole

On motion of Senator Hernandez, the Senate resolved itself into Committee of the Whole for consideration of General Orders--Second Reading of Bills. Senator Hernandez 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:

- SB01-156** by Senator Dennis; also Representative Snook--Concerning authorization for manufacturers of spirituous liquors to engage in certain business practices, and, in connection therewith, authorizing tastings and the serving and selling of spirituous liquors that are manufactured on the premises and authorizing the serving and selling of food, general merchandise, alcohol beverages, and nonalcohol beverages.
- Amendment No. 1, Government, Veterans and Military Relations, and Transportation Committee Amendment.
(Printed in Senate Journal, February 16, 2001, page 333-334.)
- As amended, ordered engrossed and placed on the Consent calendar for Third Reading and Final Passage.
- SB01-178** by Senator Nichol; also Representative Sinclair--Concerning preparation for elections, and, in connection therewith, permitting partial cancellation of nonpartisan elections and changing certain deadlines.
- Amendment No. 1, Government, Veterans and Military Relations, and Transportation Committee Amendment.
(Printed in Senate Journal, February 16, 2001, page 334-335.)
- As amended, ordered engrossed and placed on the Consent calendar for Third Reading and Final Passage.
- SB01-155** by Senator Lamborn; also Representative Scott--Concerning the use of the sales and use tax revenues of a local government pledged to a capital improvement fund.
- Ordered engrossed and placed on the Consent calendar for Third Reading and Final Passage.
- SB01-141** by Senator Taylor; also Representative Sinclair--Concerning adoption of an interstate compact governing emergency management assistance.
- Ordered engrossed and placed on the Consent calendar for Third Reading and Final Passage.
- HB01-1057** by Representatives Stafford and Bacon; also Senator Hanna--Concerning participation by a retiree of the public employees' retirement association in the voluntary investment program administered by the association.
- Ordered revised and placed on the Consent calendar for Third Reading and Final Passage.
- HB01-1039** by Representative Cloer; also Senator McElhany--Concerning the repeal of obsolete provisions regarding temporary help contracting firms.
- Ordered revised and placed on the Consent calendar for Third Reading and Final Passage.
- HB01-1200** by Representatives Cadman, Decker, Fairbank, Fritz, Hefley and Paschall; also Senator McElhany--Concerning the elimination of payment of unemployment insurance taxes owed by an employer when the amount of unemployment insurance tax is less than five dollars in a calendar quarter.
- Ordered revised and placed on the Consent calendar for Third Reading and Final Passage.
- HB01-1016** by Representative Larson; also Senator Taylor--Concerning the investment adviser registration depository under the "Colorado Securities Act".
- Ordered revised and placed on the Consent calendar for Third Reading and Final Passage.
- HB01-1055** by Representative Snook; also Senator Taylor--Concerning a requirement that title insurance companies file fees with the commissioner of insurance.
- Ordered revised and placed on the Consent calendar for Third Reading and Final Passage.
- HB01-1099** by Representative Berry; also Senator Matsunaka--Concerning technical corrections to the "Uniform Consumer Credit Code", and, in connection therewith, amending or repealing

HB01-1099	obsolete, inconsistent, and conflicting provisions of law and clarifying the language to reflect the legislative intent of the laws.	1 2 3
	Ordered revised and placed on the Consent calendar for Third Reading and Final Passage.	4 5
HB01-1116	by Representative Paschall; also Senator Takis--Concerning circumstances in which an independent medical examiner may be selected.	6 7 8
	Ordered revised and placed on the Consent calendar for Third Reading and Final Passage.	9 10
HB01-1067	by Representative Rippey; also Senator McElhany--Concerning real estate broker licenses, and, in connection therewith, facilitating electronic transactions, eliminating the requirement that a designated broker be an officer, director, or member of a licensed entity, and adjusting disciplinary provisions.	11 12 13 14 15
	Ordered revised and placed on the Consent calendar for Third Reading and Final Passage.	16 17
HB01-1043	by Representative Crane; also Senator Cairns--Concerning the calculation of unemployment insurance tax refunds.	18 19 20
	Ordered revised and placed on the Consent calendar for Third Reading and Final Passage.	21 22
HB01-1005	by Representative Berry; also Senator Reeves--Concerning relief from state income tax liability for an individual who unknowingly makes a joint income tax return upon which such individual's spouse has understated income tax liability.	23 24 25 26
	Ordered revised and placed on the Consent calendar for Third Reading and Final Passage.	27 28
HB01-1006	by Representatives Ragsdale and Young; also Senators Teck and Evans--Concerning state records filed with the secretary of state.	29 30 31
	Ordered revised and placed on the Consent calendar for Third Reading and Final Passage.	32 33
HB01-1015	by Representative Miller; also Senator Phillips--Concerning the submission of information to a local liquor licensing authority by an applicant seeking the transfer of a liquor license.	34 35 36
	<u>Amendment No. 1, Business, Labor and Finance Committee Amendment.</u> (Printed in Senate Journal, February 22, 2001, page 394.)	37 38 39
	As amended, ordered revised and placed on the Consent calendar for Third Reading and Final Passage.	40 41 42
HB01-1032	by Representatives Young and Miller; also Senators Anderson, Lamborn, Reeves and Taylor--Concerning the protection of water quality by increasing the efficiency of discharge permitting.	43 44 45 46
	Ordered revised and placed on the Consent calendar for Third Reading and Final Passage.	47 48
HB01-1024	by Representative Plant; also Senator Dyer (Durango)--Concerning financial incentives for commercial fish hatcheries that test positive for whirling disease.	49 50 51
	Ordered revised and placed on the Consent calendar for Third Reading and Final Passage.	52 53
HB01-1118	by Representative Garcia; also Senator Hagedorn--Concerning aggravating factors for aggravated motor vehicle theft.	54 55 56
	<u>Amendment No. 1, Judiciary Committee Amendment.</u> (Printed in Senate Journal, February 21, 2001, page 381.)	57 58 59
	As amended, ordered revised and placed on the Consent calendar for Third Reading and Final Passage.	60 61 62
HB01-1185	by Representatives Clapp, Fairbank, Fritz, Hefley, Miller, Mitchell, Nunez, Schultheis, Snook, Spence, Stafford, Webster and Williams T.; also Senator Arnold--Concerning victims in probation matters.	63 64 65 66
	Ordered revised and placed on the Consent calendar for Third Reading and Final Passage.	67 68
HB01-1241	by Representative Stengel; also Senator Reeves--Concerning the elimination of the ninety-day period for which garnishments are permitted to be a continuing levy.	69 70 71
	Ordered revised and placed on the Consent calendar for Third Reading and Final Passage.	72

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Passed on Second Reading: **SB01-156** as amended, **SB01-178** as amended, **SB01-155**, **SB01-141**, **HB01-1057**, **HB01-1039**, **HB01-1200**, **HB01-1016**, **HB01-1055**, **HB01-1099**, **HB01-1116**, **HB01-1067**, **HB01-1043**, **HB01-1005**, **HB01-1006**, **HB01-1015** as amended, **HB01-1032**, **HB01-1024**, **HB01-1118** as amended, **HB01-1185**, **HB01-1241**.

Committee of the Whole

On motion of Senator Hernandez, the Senate resolved itself into Committee of the Whole for consideration of General Orders--Second Reading of Bills. Senator Hernandez 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:

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, **SB01-100**, **SB01-079**, **SB01-074**, **SB01-097**, **SB01-081** were advanced to follow **SB01-104** on the General Orders calendar.

SB01-066

by Senator Gordon--Concerning increased protections for water quality in Cherry Creek reservoir, and, in connection therewith, adjusting the Cherry Creek basin water quality authority's duties and membership.

Amendment No. 1, Health, Environment, Children and Families Committee Amendment.
(Printed in Senate Journal, February 19, 2001, page 346-347.)

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

SB01-092

by Senators Anderson and Gordon; also Representative Decker--Concerning the fair campaign practices act.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 6, 2001, page 194-195.)

Amendment No. 2, Senator Anderson.

Amend printed bill, page 7, strike lines 21 through 25 and substitute the following:

"(V) IN THE CASE OF A CANDIDATE FOR ELECTIVE OFFICE WHO IS, AT THE TIME OF THE ELECTION, HOLDING AN ELECTIVE OFFICE OR WHO HAS HELD ELECTIVE OFFICE IN THE PAST, ANY PRINTED COMMUNICATION THAT IS A VOTING RECORD OR VOTING GUIDE THAT:

(A) PRESENTS INFORMATION IN AN EDUCATIONAL MANNER THAT DOES NO MORE THAN SET FORTH THE TITLE AND NUMBER OF A PARTICULAR BILL AND THE NATURE OF THE CANDIDATE'S VOTE ON THE BILL;".

Page 8, after line 6, insert the following:

"(VI) IN THE CASE OF A CANDIDATE FOR ELECTIVE OFFICE WHO IS NOT, AT THE TIME OF THE ELECTION, HOLDING ELECTIVE OFFICE AND WHO HAS NOT HELD ELECTIVE OFFICE IN THE PAST, ANY PRINTED COMMUNICATION THAT IS A VOTING RECORD OR VOTING GUIDE THAT:

(A) PRESENTS IN AN EDUCATIONAL MANNER THE CANDIDATE'S STATED POSITION ON A CAMPAIGN ISSUE BY REFERENCE TO THE CANDIDATE'S COMMUNICATED POSITION ON THE ISSUE;

(B) IS NOT COORDINATED WITH ANY CANDIDATE, CANDIDATE COMMITTEE, OR AGENT OF A CANDIDATE; AND

(C) DOES NOT CONTAIN A PHRASE SUCH AS "VOTE FOR",

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SB01-092

"REELECT", "SUPPORT", "DEFEAT", OR "REJECT" AND WHEN READ AS A WHOLE, AND WITH LIMITED REFERENCE TO EXTERNAL EVENTS, IS SUSCEPTIBLE OF A REASONABLE INTERPRETATION OTHER THAN AS AN EXHORTATION OR PLEA FOR ACTION URGING VOTERS TO VOTE FOR OR AGAINST SUCH CANDIDATE OR CANDIDATES."

Amendment No. 3, Senator Pascoe.

Amend printed bill, page 8, strike line 8 and substitute the following:

"amended, and the said 1-45-107 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:";

after line 25, insert the following:

"(4) (a) ANY PERSON MAKING AN INDEPENDENT EXPENDITURE OF ONE THOUSAND DOLLARS OR MORE PER CALENDAR YEAR SHALL MAKE SUCH EXPENDITURES SOLELY FROM FUNDS THAT ARE:

(I) CONTRIBUTED BY A NATURAL PERSON, POLITICAL PARTY, OR POLITICAL COMMITTEE; AND

(II) MAINTAINED IN A SEPARATE SEGREGATED FUND BY SUCH PERSON FOR THE PURPOSE OF MAKING SUCH EXPENDITURES.

(b) A CORPORATION OR LABOR ORGANIZATION SHALL BE CONSIDERED TO HAVE MADE AN INDEPENDENT EXPENDITURE FOR A POLITICAL MESSAGE IF:

(I) THE CORPORATION OR LABOR ORGANIZATION DIRECTLY OR INDIRECTLY DISBURSES ANY PORTION OF THE MONEYS USED TO DEFRAY THE COSTS OF THE INDEPENDENT EXPENDITURE; OR

(II) ANY PORTION OF THE MONEYS USED TO DEFRAY THE COSTS OF THE INDEPENDENT EXPENDITURE IS DISBURSED BY A POLITICAL COMMITTEE THAT RECEIVES A CONTRIBUTION FROM THE CORPORATION OR LABOR ORGANIZATION."

Amendment No. 4, Senator Perlmutter.

Amend printed bill, page 5, line 20, after "corporation", insert "OR ANY OTHER LEGAL ENTITY, INCLUDING WITHOUT LIMITATION, ANY".

Laid over until the next second reading calendar, Monday, February 26, 2001, retaining its place on the calendar.

SB01-135

by Senator Teck; also Representative Sinclair--Concerning compensation of county officers.

Amendment No. 1, Senator Teck.

Amend printed bill, page 3, line 7, strike the third "62,000" and substitute "45,000";

line 8, strike the third "50,000" and substitute "38,000";

line 9, strike "32,000" and substitute "18,000";

line 10, strike "16,000" and substitute "9,000";

after line 27, insert the following:

"(c) IN COUNTIES OF EVERY CLASS, THE BOARD OF COUNTY COMMISSIONERS MAY PROVIDE THAT THE CORONER SHALL BE REIMBURSED FOR EXPENSES RELATED TO TRAVEL BY THE CORONER FOR THE PURPOSE OF TESTIFYING AS A WITNESS OR ACTING IN ANY OTHER OFFICIAL CAPACITY WITH RESPECT TO ANY LEGAL PROCEEDING INVOLVING A DEATH INVESTIGATED BY THAT CORONER. SUCH REIMBURSEMENT MAY INCLUDE A MILEAGE ALLOWANCE FOR EACH MILE ACTUALLY AND NECESSARILY TRAVELED IN AN AMOUNT DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS WITHIN THE LIMITS PROVIDED UNDER SECTION 30-11-107

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SB01-135

(1) (t) AND A LODGING AND PER DIEM ALLOWANCE IN AN AMOUNT DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS. SUCH REIMBURSEMENT SHALL BE PAID OUT OF THE COUNTY TREASURY.

(d) IN COUNTIES OF EVERY CLASS, THE BOARD OF COUNTY COMMISSIONERS MAY PROVIDE FOR ADDITIONAL COMPENSATION TO BE PAID TO ANY CORONER WHO PERFORMS A POST-MORTEM EXAMINATION OF THE BODY OF A DECEASED PERSON PURSUANT TO SECTION 30-10-606 (2), WHICH COMPENSATION SHALL BE PAID OUT OF THE COUNTY TREASURY."

Amendment No. 2, Senator Dennis.

Amend printed bill, page 2, strike lines 26 and 27.

Page 3, strike lines 1 through 10 substitute the following:

"(2.1) On and after ~~January 1, 2001~~ JANUARY 1, 2002, the annual salaries of county officers whose term of office begins on or after such date shall be as follows:

	County Commissioners	County Sheriffs and Clerks	County Assessors, Treasurers, CORONERS	COUNTY
(a) Category I	63,203	71,293 95,000	63,203 75,500	75,500
(b) Category II	51,827	57,768 75,000	51,827 62,000	62,000
(c) Category III	41,714	53,091 65,000	41,714 50,000	50,000
(d) Category IV	35,394	47,782 57,000	35,394 42,500	32,000
(e) Category V	32,613	36,405 42,000	32,613 37,500	16,000"

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

(For further action, see Amendment to the Report of the Committee of the Whole.)

SB01-104

by Senator Fitz-Gerald; also Representative Mitchell--Concerning the determination of whether a convicted person is mentally incompetent to be executed.

Amendment No. 1, Judiciary Committee Amendment. (Printed in Senate Journal, February 9, 2001, page 238-239.)

Amendment No. 2, Senator Fitz-Gerald.

Amend printed bill, page 4, line 13, strike "ARTICLE." and substitute "PART 3.";

line 22, after "PERSON", insert "WITH RESPECT TO THE ISSUE OF WHETHER THE CONVICTED PERSON IS MENTALLY INCOMPETENT TO BE EXECUTED";

line 24, after "ARE", insert "NOT PRIVILEGED AND ARE";

line 25, after the period, insert "IF THE MOVING PARTY HAS ANY QUESTION REGARDING WHETHER ANY SUCH REPORT IS PRIVILEGED, THE REPORT SHALL BE SUBMITTED TO THE COURT EX PARTE AND THE COURT SHALL MAKE A DETERMINATION AS TO RELEASE OF THE REPORT.";

line 26, after "ATTORNEY,", insert "THE CONVICTED PERSON SHALL BE DEEMED TO HAVE WAIVED ANY CLAIM OF CONFIDENTIALITY OR PRIVILEGE AS TO COMMUNICATIONS MADE BY THE CONVICTED PERSON TO ANY PHYSICIAN, PSYCHIATRIST, OR PSYCHOLOGIST IN THE COURSE OF EXAMINATION OR TREATMENT FOR ANY MENTAL HEALTH CONDITION FOR WHICH THE CONVICTED PERSON HAS RECEIVED TREATMENT, AND".

Page 7, line 16, strike "REPORTS." and substitute "REPORTS THAT ARE NOT PRIVILEGED. IF THE PARTY HAS ANY QUESTION REGARDING WHETHER ANY SUCH RECORDS ARE PRIVILEGED, THE RECORDS SHALL BE SUBMITTED TO THE COURT EX PARTE AND THE COURT SHALL MAKE A DETERMINATION AS TO RELEASE OF THE RECORD.".

Amendment No. 3, Senator Fitz-Gerald.

SB01-104

Amend the Judiciary Committee Amendment, as printed in Senate Journal, February 9, page 239, line 5, strike "ANY" and substitute "ALL";

line 23, after "COURT", insert "SHALL ESTABLISH TIMEFRAMES FOR FILING OF RESPONSES AND ADDITIONAL SUBMISSIONS AND FOR COMPLETION OF THE EXAMINATIONS AND".

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

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders--Second Reading of Bills calendar of February 26, 2001, was laid over until later in the day, retaining its place on the calendar.

AMENDMENT TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB01-135

by Senator Teck; also Representative Sinclair--Concerning compensation of county officers.

Senator Dennis moved to amend the Report of the Committee of the Whole to show that **SB 01-135**, as amended, was laid over to the next second reading calendar of Monday, February 26, 2001.

The amendment was **adopted** by a viva voce vote.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Passed on Second Reading: **SB01-066** as amended, **SB01-104** as amended. Laid over until later in the day, February 26, 2001: **SB01-169, SB01-144, SB01-092** as amended, **SB01-135** as amended, **SB01-169, SB01-144, HB01-1001, SB01-079** as amended, **SB01-074, SB01-097, SB01-081, HB01-1013, HB01-1069, HB01-1196, HB01-1250, HB01-1136, HB01-1065, HB01-1040, HB01-1138, HB01-1154, HB01-1164, HB01-1187, HB01-1171.**

Senate in Recess--Senate Reconvened.

Committee of the Whole

On motion of Senator Hernandez, the Senate resolved itself into Committee of the Whole for consideration of General Orders--Second Reading of Bills. Senator Hernandez 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:

SB01-074

by Senator Fitz-Gerald--Concerning authorization for any election to be conducted by mail ballot. (Amended as printed in Senate Journal, February 26, 2001, page 378.)

Amendment No. 3, Senator Fitz-Gerald.

Amend printed bill, page 4, line 20, strike "(3) and (4) (b)," and substitute "(3), (4), and (5)."

Amend the Fitz-Gerald amendment, as printed in Senate Journal, February 21, page 378, strike lines 13 through 14 and substitute the following:

""(3) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (a.7) OF THIS SUBSECTION (3), not sooner than twenty-five days before an election, and no later than ~~fifteen~~ EIGHTEEN days before an election, the".";

SB01-074

line 19, strike "regulations. ~~except that~~" and substitute "regulations; except that";

line 21, strike "~~day~~:" and substitute "~~day~~ THIS PARAGRAPH (a) SHALL NOT APPLY TO MUNICIPAL OR SPECIAL DISTRICT ELECTIONS."";

line 25, strike "NO LATER THAN THIRTY" and substitute "and except as OTHERWISE PROVIDED IN PARAGRAPH (a.7) OF THIS SUBSECTION (3), NOT SOONER THAN TWENTY-FIVE DAYS BEFORE A PRIMARY ELECTION AND NO LATER THAN EIGHTEEN";

line 29, strike "REGULATIONS." and substitute "REGULATIONS."";

after line 29, insert the following:

"after line 25 of the printed bill, insert the following:

"(a.7) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPHS (a) AND (a.5) OF THIS SUBSECTION (3), NO LATER THAN THIRTY DAYS BEFORE ANY ELECTION OR PRIMARY ELECTION, THE DESIGNATED ELECTION OFFICIAL, OR THE COORDINATED ELECTION OFFICIAL IF SO PROVIDED BY INTERGOVERNMENTAL AGREEMENT, SHALL TRANSMIT AN ABSENTEE BALLOT TO EACH ACTIVE REGISTERED ELECTOR WHO RESIDES OVERSEAS AND WHO HAS TIMELY FILED AN APPLICATION FOR AN ABSENTEE BALLOT. THE BALLOT SHALL BE TRANSMITTED AS PERMITTED BY ARTICLE 8 OF THIS TITLE." . "

Page 8 of the printed bill, after line 6, insert the following:

"(4) (a) Upon receipt of a ballot, the eligible elector shall mark the ballot, sign, DATE, and ~~complete~~ PROVIDE HIS OR HER DATE OF BIRTH ON the return-verification envelope IN ACCORDANCE WITH ANY RULES PROMULGATED BY THE SECRETARY OF STATE THAT PERTAIN TO THE COMPLETION OF RETURN VERIFICATION ENVELOPES and comply with the instructions provided with the ballot.";

line 7, after "elector", insert "OR A MEMBER OF THE ELIGIBLE ELECTOR'S IMMEDIATE FAMILY";

line 10, strike "the office of the official or any";

line 11, strike "place designated by the official." and substitute "~~the office of the official or any place designated by the official~~ A SECURE DROP-OFF SITE DESIGNATED BY THE OFFICIAL AND OUTLINED IN THE MAIL BALLOT PLAN. ALTERNATIVELY, THE ELIGIBLE ELECTOR ONLY MAY RETURN THE MARKED BALLOT TO THE OFFICIAL BY MARKING THE BALLOT AT A PRIVATE, SECURE LOCATION DESIGNATED BY THE OFFICIAL AND OUTLINED IN THE MAIL BALLOT PLAN.";

after line 17, insert the following:

"(5) Once the ballot is returned, an election judge shall first qualify the submitted ballot by ~~examining~~ VERIFYING THE ELIGIBLE ELECTOR'S DATE OF BIRTH AND, IF NECESSARY, EXAMINING OTHER INFORMATION PROVIDED ON the return-verification envelope and comparing the information on the envelope to the registration records to determine whether the ballot was submitted by an eligible elector who has not previously voted in the election. If the ballot so qualifies and is otherwise valid, the election judge shall indicate in the poll book that the eligible elector cast a ballot, open the return-verification envelope, remove the ballot stub, and deposit the ballot in an official ballot box." .

Amendment No. 4, Senator McElhany.

Amend printed bill, page 9, after line 22, insert the following:

"SECTION 9. Article 7.5 of title 1, Colorado Revised Statutes, is amended BY THE ADDITION OF NEW SECTION to read:

1-7.5-113. Voting at group facilities. (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, WHEN MORE THAN FIVE MAIL

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SB01-074

BALLOTS ARE TO BE SENT TO THE SAME GROUP RESIDENTIAL FACILITY WITHIN A COUNTY, WHICH INCLUDES BUT IS NOT LIMITED TO, NURSING HOMES, SENIOR CITIZEN HOUSING FACILITIES, AND HOMELESS SHELTERS, A COMMITTEE CONSISTING OF ONE EMPLOYEE OF THE DESIGNATED ELECTION OFFICIAL, OR ONE EMPLOYEE OF THE COORDINATED ELECTION OFFICIAL IF SO PROVIDED BY AN INTERGOVERNMENTAL AGREEMENT, AND, WHERE AVAILABLE, A REPRESENTATIVE APPOINTED BY EACH OF THE MAJOR POLITICAL PARTIES SHALL DELIVER THE ABSENTEE BALLOTS AND RETURN THOSE BALLOTS TO THE OFFICE OF THE OFFICIAL.

(2) FOR NONPARTISAN ELECTIONS, UPON THE REQUEST OF AN ELIGIBLE ELECTOR, THE DESIGNATED ELECTION OFFICIAL, OR THE COORDINATED ELECTION OFFICIAL IF SO PROVIDED BY AN INTERGOVERNMENTAL AGREEMENT, MAY APPOINT A COMMITTEE THAT CONSISTS OF TWO OR MORE ELECTION JUDGES OR EMPLOYEES OR REPRESENTATIVES OF THE OFFICIAL."

Renumber succeeding sections accordingly.

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

SB01-092

by Senators Anderson and Gordon; also Representative Decker--Concerning the fair campaign practices act.
(Amended as printed in Senate Journal, February 26, 2001, page 409-410.)

Amendment No. 5, Senator Perlmutter.

Amend printed bill, page 7, line 13, after "CORPORATION", insert "LABOR".

Amendment No. 6, Senator Perlmutter.

Amend printed bill, page 9, line 14, after "1-45-113", insert "(1) and" and strike "is" and substitute "are";

strike lines 16 and 17 and substitute the following:

~~**1-45-113. Sanctions.** (1) It shall be a class two misdemeanor for any person to willfully and intentionally violate section 1-45-105.3, 1-45-105.5, 1-45-106, 1-45-108, 1-45-114, 1-45-115, or 1-45-117. It shall be a class two misdemeanor for any person to willfully and intentionally fail to disclose any contribution or expenditure on any report filed pursuant to this article.~~

~~(2) In addition to the criminal penalty provided for in subsection (1) of this section, Any person who";~~

strike lines 19 and 20, and substitute the following:

"limits shall be subject to a civil penalty of double the amount contributed or received in violation of the applicable provision of this IN AN AMOUNT OF NOT LESS THAN FIVE HUNDRED DOLLARS, BUT NOT MORE THAN FIVE THOUSAND DOLLARS.";

line 21, strike "article." and substitute "article."

Amendment No. 7, Senator Gordon.

Amend printed bill, page 9, after line 13, insert the following:

"SECTION 6. 1-45-111 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

1-45-111. Duties of the secretary of state - enforcement.
(2) (a.5) IF THE ADMINISTRATIVE LAW JUDGE FINDS THAT THE FILING OF A COMPLAINT UNDER PARAGRAPH (a) OF THIS SUBSECTION (2) WAS FRIVOLOUS, GROUNDLESS, OR VEXATIOUS, THE ADMINISTRATIVE LAW JUDGE SHALL REQUIRE THE COMPLAINANT TO PAY THE REASONABLE AND NECESSARY ATTORNEY FEES AND COSTS OF THE OTHER PARTY."

Renumber succeeding sections accordingly.

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SB01-092	As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	1 2 3
SB01-135	by Senator Teck; also Representative Sinclair--Concerning compensation of county officers. (Amended as printed in Senate Journal, February 26, 2001, page 410-411.)	4 5 6 7
	As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	8 9
	(For further action, see Amendment to the Report of the Committee of the Whole.)	10 11
SB01-100	by Senator Gordon--Concerning the requirement for additional disclosures by persons making charitable solicitations, and, in connection therewith, prohibiting certain practices.	12 13 14 15
	<u>Amendment No. 1, Judiciary Committee Amendment.</u> (Printed in Senate Journal, February 15, 2001, page 318-330.)	16 17 18
	<u>Amendment No. 2, Senator Gordon.</u>	19
	Amend the committee amendment, as printed in Senate Journal, February 15, 2001, page 320, strike lines 4 through 13;	20 21 22
	line 15, strike "(h)" and substitute "(f)".	23 24 25
	Page 321, line 24, strike "REGISTERING WITH THE" and substitute "COMPLYING WITH THE REQUIREMENTS OF THIS SECTION.";	26 27 28
	strike lines 25 through 32;	29
	after line 60, insert the following:	30 31 32
	"(3) A PROFESSIONAL FUNDRAISING CONSULTANT WHO AT ANY TIME HAS OR WILL HAVE CUSTODY OR CONTROL OF CONTRIBUTIONS FROM A SOLICITATION CONDUCTED ON BEHALF OF A CHARITABLE ORGANIZATION IN THIS STATE SHALL ALSO COMPLY WITH THE REGISTRATION REQUIREMENTS OF THIS SECTION BEFORE PERFORMING ANY MATERIAL SERVICES WITH RESPECT TO SUCH SOLICITATION.".	33 34 35 36 37 38 39
	Renumber succeeding subsections accordingly.	40 41
	Page 323, line 45, after "(1)", insert "(a)";	42 43
	strike lines 46 through 53 and substitute the following:	44 45
	"WITHOUT FIRST COMPLYING WITH THE REQUIREMENTS OF THIS SECTION.	46 47
	(b) EVERY PAID SOLICITOR SHALL REGISTER IN ACCORDANCE WITH SUBSECTION (3) OF THIS SECTION BEFORE SOLICITING CONTRIBUTIONS IN THIS STATE.".	48 49 50 51
	As amended, referred to the Committee on Appropriations.	52 53
SB01-079	by Senators Windels and Phillips--Concerning grandparent visitation time with grandchildren. (Amended as printed in Senate Journal, February 16, 2001, page 335-336.)	54 55 56 57
	Laid over until Tuesday, February 27, 2001, retaining its place on the calendar.	58 59
SB01-097	by Senators Pascoe and Matsunaka--Concerning regional planning for growth management.	60 61 62
	Laid over until Tuesday, February 27, 2001, retaining its place on the calendar.	63 64
SB01-081	by Senator Phillips; also Representative Kester--Concerning local financing of school capital construction projects.	65 66 67
	Laid over until Tuesday, February 27, 2001, retaining its place on the calendar.	68 69
SB01-144	by Senator Reeves--Concerning the promotion of energy efficiency.	70 71
	<u>Amendment No. 1, Public Policy and Planning Committee Amendment.</u>	72

SB01-144

(Printed in Senate Journal, February 19, 2001, page 348.)

Amendment No. 2, Senator Reeves.

Amend printed bill, page 2, line 13, strike "KILOWATT-HOUR" and substitute "KILOWATT";

Page 3, after line 26, insert the following:

"(e) A review of new federal programs resulting from the passage of any federal energy policy legislation to include identification of opportunities to construct new renewable and fossil fuel electricity generating facilities in Colorado using new federal funds that may become available from the passage of such legislation."

Page 4, line 9, strike "SUCH CLEAN ENERGY";

strike lines 10 through 12;

line 13, strike "TECHNOLOGIES SUCH AS FUEL CELLS."

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

(For further action, see Amendment to the Report of the Committee of the Whole.)

SB01-169

by Senator Linkhart--Concerning work force training programs.

Amendment No. 1, Health, Environment, Children and Families Committee Amendment.
(Printed in Senate Journal, February 15, 2001, page 297-298.)

Amendment No. 2, Senator Linkhart.

Amend the committee amendment, as printed in Senate Journal, February 15, page 297, strike lines 49 through 53, and substitute the following:

"BE ELIGIBLE FOR FULL STATE REIMBURSEMENT IF THE FOLLOWING CRITERIA ARE MET:

(a) CREDIT HOURS ARE EARNED BY AN IN-STATE STUDENT AS DEFINED IN SECTION 23-7-102 (5);

(b) CREDIT HOURS ARE EARNED IN COURSES THAT ARE CONSISTENT WITH THE STATUTORY ROLE AND MISSION OF THE COMMUNITY COLLEGE;

(c) CREDIT HOURS ARE OFFERED WITHIN THE GEOGRAPHIC BOUNDARIES OF THE CAMPUS NOTWITHSTANDING SECTION 23-1-109; EXCEPT THAT A COMMUNITY COLLEGE MAY CLAIM CREDIT HOURS FOR INTERNET COURSES OR INTERACTIVE TELEVISION COURSES;

(d) CREDIT HOURS EARNED BY CURRENTLY ENROLLED SECONDARY SCHOOL STUDENTS MEET THE CRITERIA IN PARAGRAPHS (a) THROUGH (c) OF THIS SUBSECTION, ARE RECORDED ON A COLLEGE TRANSCRIPT, AND MEET OTHER APPLICABLE STATUTORY REQUIREMENTS FOR REIMBURSEMENT; AND

(e) CREDIT HOURS OR COURSES ARE NOT LIMITED TO A SPECIFIC EMPLOYER OR PROVIDED PURSUANT TO SECTION 23-60-304, 23-60-306 OR 23-60-307."

Laid over until Tuesday, February 27, 2001, retaining its place on the calendar.

On motion of Senator Thiebaut, the balance of the General Orders--Second Reading of Bills calendar (**HB01-1013, HB01-1069, HB01-1196, HB01-1250, HB01-1136, HB01-1063, HB01-1040, HB01-1138, HB01-1154, HB01-1164, HB01-1187, HB01-1171**) of Monday, February 26, 2001, was laid over until Friday, March 2, 2001, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB01-135

by Senator Teck; also Representative Sinclair--Concerning compensation of county officers.

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SB01-135

Senator Teck moved to amend the Report of the Committee of the Whole to show that the following Teck floor amendment, (L.002) to SB 01-135, did pass.

Amend printed bill, page 3, line 7, strike the third "62,000" and substitute "45,000";

line 8, strike the third "50,000" and substitute "38,000";

line 9, strike "32,000" and substitute "18,000";

line 10, strike "16,000" and substitute "9,000";

after line 27, insert the following:

"(c) IN COUNTIES OF EVERY CLASS, THE BOARD OF COUNTY COMMISSIONERS MAY PROVIDE THAT THE CORONER SHALL BE REIMBURSED FOR EXPENSES RELATED TO TRAVEL BY THE CORONER FOR THE PURPOSE OF TESTIFYING AS A WITNESS OR ACTING IN ANY OTHER OFFICIAL CAPACITY WITH RESPECT TO ANY LEGAL PROCEEDING INVOLVING A DEATH INVESTIGATED BY THAT CORONER. SUCH REIMBURSEMENT MAY INCLUDE A MILEAGE ALLOWANCE FOR EACH MILE ACTUALLY AND NECESSARILY TRAVELED IN AN AMOUNT DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS WITHIN THE LIMITS PROVIDED UNDER SECTION 30-11-107 (1) (t) AND A LODGING AND PER DIEM ALLOWANCE IN AN AMOUNT DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS. SUCH REIMBURSEMENT SHALL BE PAID OUT OF THE COUNTY TREASURY.

(d) IN COUNTIES OF EVERY CLASS, THE BOARD OF COUNTY COMMISSIONERS MAY PROVIDE FOR ADDITIONAL COMPENSATION TO BE PAID TO ANY CORONER WHO PERFORMS A POST-MORTEM EXAMINATION OF THE BODY OF A DECEASED PERSON PURSUANT TO SECTION 30-10-606 (2), WHICH COMPENSATION SHALL BE PAID OUT OF THE COUNTY TREASURY."

The amendment was declared **adopted** by a viva voce vote.

SB01-135

by Senator Teck; also Representative Sinclair--Concerning compensation of county officers.

Senator Teck moved to amend the Report of the Committee of the Whole to show that the following Dennis floor amendment, (L.005) to SB 01-135, did not pass.

Amend printed bill, page 2, strike lines 26 and 27.

Page 3, strike lines 1 through 10 substitute the following:

"(2.1) On and after ~~January 1, 2001~~ JANUARY 1, 2002, the annual salaries of county officers whose term of office begins on or after such date shall be as follows:

	County Commissioners	County Sheriffs	County Treasurers, Assessors, and Clerks	COUNTY CORONERS
(a) Category I	63,203	71,293 95,000	63,203 75,500	75,500
(b) Category II	51,827	57,768 75,000	51,827 62,000	62,000
(c) Category III	41,714	53,094 65,000	41,714 50,000	50,000
(d) Category IV	35,394	47,782 57,000	35,394 42,500	32,000
(e) Category V	32,613	36,405 42,000	32,613 37,500	16,000".

The amendment was declared **adopted** by viva voce vote.

SB01-135

by Senator Teck; also Representative Sinclair--Concerning compensation of county officers.

Senator Dennis moved to amend the Report of the Committee of the Whole to show that the following Dennis floor amendment, (L.006) to SB 01-135, did pass.

Amend printed bill, page 2, strike lines 26 and 27.

Page 3, strike lines 1 through 10 substitute the following:

"(2.1) On and after ~~January 1, 2001~~ JANUARY 1, 2002, the annual salaries of county officers whose term of office begins on or after such date shall be as follows:

SB01-135

	County Commissioners	County Sheriffs	County Assessors, and Clerks	County Treasurers, COUNTY CORONERS
(a) Category I	63,203	71,293 95,000	63,203 75,500	75,500
(b) Category II	51,827	57,768 75,000	51,827 62,000	45,000
(c) Category III	41,714	53,094 65,000	41,714 50,000	38,000
(d) Category IV	35,394	47,782 57,000	35,394 42,500	18,000
(e) Category V	32,613	36,405 42,000	32,613 37,500	9,000".

The roll call was taken with the following result:

YES	17	NO	16	EXCUSED	2	ABSENT	0
Anderson	N	Evans	Y	May	Y	Takis	N
Andrews	Y	Fitz-Gerald	N	McElhany	Y	Tate	Y
Arnold	Y	Gordon	N	Musgrave	Y	Taylor	N
Cairns	Y	Hagedorn	Y	Nichol	N	Teck	N
Chlouber	Y	Hanna	N	Owen	Y	Thiebaut	Y
Dennis	Y	Hernandez	Y	Pascoe	N	Tupa	N
Dyer, E.	N	Hillman	Y	Perlmutter	N	Windels	N
Dyer, F.	Y	Lamborn	Y	Phillips	N	Mr. President	E
Epps	E	Linkhart	N	Reeves	N		

The amendment was declared **passed**.

SB01-144

by Senator Reeves--Concerning the promotion of energy efficiency.

Senator Reeves moved to amend the Report of the Committee of the Whole to show that the following Reeves floor amendment, (L.006) to SB 01-144, did pass.

Amend printed bill, page 3, line 8, after the period, add "SUCH PORTFOLIO SHALL INCLUDE A COMPARISON OF COSTS OF NATURAL GAS CONTRACTS TO THE COST OF COAL SYNGAS CONTRACTS THAT MAY BECOME AVAILABLE IN THE FUTURE."

The amendment was declared **adopted** by viva voce vote.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Passed on Second Reading: **SB01-074** as amended, **SB01-092** as amended, **SB01-135** as amended, **SB01-144** as amended.

Referred to the Committee on Appropriations: **SB01-100** as amended.

Laid over until Tuesday, February 27, 2001: **SB01-079** as amended, **SB01-097**, **SB01-081**, **SB01-169** as amended.

Laid over until Friday, March 2, 2001: **HB01-1013**, **HB01-1069**, **HB01-1196**, **HB01-1250**, **HB01-1136**, **HB01-1063**, **HB01-1040**, **HB01-1138**, **HB01-1154**, **HB01-1164**, **HB01-1187**, **HB01-1171**.

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, February 26, 2001, was laid over until Tuesday, February 27, 2001, retaining its place on the calendar.

Consideration of Resolutions--**HJR01-1014**, **SR01-010**.

Consideration of Governor's Appointments

On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., Tuesday, February 27, 2001.

Attest:

Approved:

Karen Goldman
Secretary of the Senate

Stan Matsunaka
President of the Senate