

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

Ninety-seventh Legislative Day

Monday, April 16, 2001

Prayer By the chaplain, Rabbi Eliot Baskin, Jewish Family Services of Colorado.

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

Roll Call Present--Total, 31.
Absent/Excused--Evans, Fitz-Gerald, May, Nichol--Total, 4.
Present later--Evans, Fitz-Gerald.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Cairns, reading of the Journal of Thursday, April 12, 2001, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Services Correctly printed: SJR01-025, SB01-217, 218, 219, 220.
Correctly engrossed: SB01-041, 075, 091, 089, 163.
Correctly revised: HJR01-1028.
Correctly enrolled: SB01-022, 027, 054, 104, 107, 135, 145, 150, 169.

COMMITTEE OF REFERENCE REPORTS

The committee recommends the following:

Appropriations After consideration on the merits, the committee recommends that **SB01-162** be postponed indefinitely.

Appropriations After consideration on the merits, the committee recommends that **SB01-161** be postponed indefinitely.

INTRODUCTION OF BILLS--FIRST READING

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

SB01-221 by Senator Epps, Anderson, Andrews, Arnold, Chlouber, Dyer (Durango), Dyer (Arapahoe), Entz, Evans, Hagedorn, Hernandez, Hillman, Lamborn, Linkhart, Matsunaka, May, McElhany, Musgrave, Nichol, Owen, Perlmutter, Reeves, Takis, Taylor, and Teck; also Representative Clapp--Concerning persons who are affiliates of child care facility licensees.
Health, Environment, Children & Families

SB01-222 by Senator Thiebaut; also Representative King--Concerning the suspension for the fiscal year 2001-02 of the prohibition against the appropriation of general fund revenues for public school capital construction projects if general fund revenues do not exceed general fund obligations and required allocations to the highway users tax fund by a specified amount.
Appropriations

SB01-223 by Senator Dyer (Durango)--Concerning economic development.
Public Policy and Planning

HB01-1100 by Representatives Swenson, Larson, Miller and Ragsdale; also Senators May, Dyer (Durango) and Fitz-Gerald--Concerning the administration of the distributive data processing system, and, in connection therewith, increasing fees, renaming the system, and making an appropriation.
 Business, Labor, and Finance
 Appropriations

HB01-1172 by Representatives White, Rippey, Snook and Stengel; also Senator Fitz-Gerald--Concerning multijurisdictional housing authorities.
 Government, Veterans and Military Relations, and Transportation

HB01-1193 by Representatives Alexander and Coleman; also Senator Reeves--Concerning modifications to the "Colorado Children's Code" to be consistent with federal law, and making an appropriation in connection therewith.
 Judiciary

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR01-026 by Senators Cairns, Andrews, Dyer (Arapahoe) and Hagedorn; also Representatives Williams S., Garcia, Hodge, Spence, Stafford, Stengel and Weddig--Concerning honoring The Anschutz Foundation.

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 Senate proceeded out of order for Consideration of Resolution, **SJR01-025**.

CONSIDERATION OF RESOLUTIONS

SJR01-025 by Senator Phillips; also Representative Plant--Concerning Colorado High School Hockey Day.

On motion of Senator Phillips, the resolution was read at length and **adopted** by the following roll call vote.

YES	32	NO	0	EXCUSED	3	ABSENT	0
Anderson	Y	Evans	E	May	E	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	E	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

THIRD READING--FINAL PASSAGE OF BILLS

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

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, **SB01-091** was advanced on the Third Reading Calendar.

SB01-091 by Senator Hernandez; also Representative Spence--Concerning the authorization for school districts to offer full-day kindergarten educational programs.

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

SB01-091

YES	25	NO	7	EXCUSED	3	ABSENT	0
Anderson	Y	Evans	E	May	E	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	N	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	E	Teck	Y
Chlouber	Y	Hanna	Y	Owen	N	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	N	Hillman	N	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	N	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**.

Co-sponsors added: Fitz-Gerald, Gordon, Hagedorn, Hanna, Linkhart, Matsunaka, Pascoe, Perlmutter, Takis, Teck, Thiebaut, Tupa, Windels.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Third Reading of Bills--Final Passage Calendar (**HB01-1074, SB01-041, SB01-075, SB01-163**) of Monday, April 16, 2001, was laid over until Tuesday, April 17, 2001, retaining its place on the calendar.

COMMITTEE OF REFERENCE REPORTS

The committees recommend the following:

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 and recommends that the appointments be confirmed.

MEMBERS OF THE
COLORADO COMMISSION
ON THE AGING

for a term expiring July 1, 2004:

Mary Jane Hangs of Silt, Colorado, to serve a Republican from the Third Congressional District, reappointed.

Health,
Environment,
Children
and Families

After consideration on the merits, the committee recommends that **HB01-1156** be referred favorably to the Committee of the Whole.

Health,
Environment,
Children
and Families

After consideration on the merits, the committee recommends that **HB01-1363** be referred favorably to the Committee of the Whole.

Government,
Veterans and
Military
Relations, and
Transportation

After consideration on the merits, the committee recommends that **SB01-213** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation and placed on the Consent Calendar.

Amend printed bill, page 2, strike line 10 and substitute the following:

"A parcel of land lying in the southwest quarter of section 5, township 5 south, range 68 west of the sixth principal meridian, city and county of Denver, state of Colorado, more particularly described as follows:

Commencing at the southwest corner of said section 5, whence the west quarter corner of said section 5 bears north 00°20'45" east, 2644.27 feet; thence north 89°55'37" east, along the south line of

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SB01-213

the southwest quarter of the southwest quarter of said section 5, 1318.32 feet to the southeast corner of the southwest quarter of the southwest quarter of said section 5; thence north 00°23'10" east, along the east line of the southwest quarter of the southwest quarter of said section 5, 1320.06 feet to the southeast corner of the northwest quarter of the southwest quarter of said section 5; thence continuing north 00°23'10" east, along the east line of the northwest quarter of the southwest quarter of said section 5, 50.00 feet to the point of beginning; thence north 89°58'58" west, along a line being 50 feet north of and parallel with the south line of the northwest quarter of the southwest quarter of said section 5, 523.99 feet; thence north 00°13'10" east, 162.42 feet to the south boundary line of the Sheridan school district property; thence south 89°38'30" east, along the south boundary line of said Sheridan school district property, 524.45 feet to the east line of the northwest quarter of the southwest quarter of said section 5; thence south 00°23'10" west, along the east line of the northwest quarter of the southwest quarter of said section 5, 159.30 feet to the point of beginning.";

line 11, strike " _____ " and substitute "84,328 square feet or 1.936".

Government, After consideration on the merits, the committee recommends that **HB01-1307** be
 Veterans and referred favorably to the Committee on Appropriations.
 Military
 Relations, and
 Transportation

Government, After consideration on the merits, the committee recommends that **SJR01-018** be
 Veterans and referred to the Senate for final action.
 Military
 Relations, and
 Transportation

Government, After consideration on the merits, the committee recommends that **SCR01-001** be
 Veterans and postponed indefinitely.
 Military
 Relations, and
 Transportation

Government, After consideration on the merits, the committee recommends that **SCR01-003** be
 Veterans and postponed indefinitely.
 Military
 Relations, and
 Transportation

Government, After consideration on the merits, the committee recommends that **SCR01-004** be
 Veterans and referred to the Committee of the Whole with favorable recommendation.
 Military
 Relations, and
 Transportation

Government, The committee has had under consideration and has had a hearing on the following
 Veterans and appointments and recommends that the appointments be confirmed.
 Military
 Relations, and
 Transportation

MEMBER OF THE
COLORADO AERONAUTICAL BOARD

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for a term expiring December 19, 2002:

Corinne Carol Nystrom of Mesa, Colorado, to fill the vacancy occasioned by the resignation of Terrance M. Sargent and to serve as a representative of the western slope and as a member representing a statewide association of airport managers, appointed. for terms expiring December 19, 2003:

Jeffrey Charles Price of Westminster, Colorado, to serve as a representative of a local government that operates an airport from the eastern slope, appointed;

Joe Michael Keck of Cortez, Colorado, to serve as a representative of a local government that operates an airport from the western slope, appointed;

Dale K. Hall of Greeley, Colorado, to serve as a representative of a local government that operates an airport from the eastern slope, reappointed.

On motion of Senator Thiebaut, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **SB01-069, SB01-032, SB01-072, SB01-057, SB01-096, SB01-206, HB01-1370** were made Special Orders at 10:30 a.m.

Committee
of the
Whole

The hour of 10:30 a.m. having arrived, Senator Tupa moved that the Senate resolve itself into Committee of the Whole for consideration of Special Orders--Second Reading of Bills. Senator Tupa was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILL

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

SB01-032

by Senator Linkhart; also Representative Alexander--Concerning criminal background checks.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, January 25, 2001, page 86.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, 2001, page 816-817.)

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

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

SB01-069

by Senator Hanna--Concerning tuition assistance for spouses of certain persons, and, in connection therewith, authorizing tuition assistance for the spouses of deceased or permanently disabled national guardsmen, law enforcement officers, and firefighters.

Amendment No. 1, Government, Veterans and Military Relations, and Transportation Committee Amendment.
(Printed in Senate Journal, February 5, 2001, pages 175-176.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 9, 2001, pages 787-788.)

Amendment No. 3(L.012), by Senator Hanna.

Amend the Appropriations Committee amendment, as printed in Senate Journal, April 9, page 787, strike lines 57 through 63 and substitute the following:

""Amend printed bill, page 2, strike lines 2 through 18 and substitute the following:

"SECTION 1. 23-3.3-205 (1) (a), Colorado Revised Statutes, is amended, and the said 23-3.3-205 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

23-3.3-205. Dependents of deceased or permanently disabled national guardsmen, law enforcement officers, or firefighters.

SB01-069

(1) (a) Any dependent of a person who died or was permanently disabled while on state active duty, federalized active duty, or authorized training duty as a Colorado national guardsman or any dependent of any person who has been permanently disabled or killed while acting to preserve the public peace, health, and safety in the capacity of police officer, sheriff, or other law enforcement officer or firefighter, upon being accepted for enrollment into any state institution, shall be permitted to pursue studies leading toward his or her first bachelor's degree or certificate of completion, free of tuition and free of room and board charges of the institution, for so long as said dependent achieves and maintains a cumulative grade point average of 2.5 or above based upon a 4.0 scale, but said benefits shall not be extended beyond six years from the date of enrollment. Such dependents pursuing studies at a nonpublic institution of higher education within the state of Colorado shall be eligible for assistance not to exceed the average cost of undergraduate instruction calculated for a full-time equivalent student at a comparable state institution for the previous year, and the average cost of room and board calculated for a full-time equivalent student at all state institutions for the previous year. Such dependents pursuing studies at an out-of-state institution of higher education shall be eligible for assistance not to exceed the average cost of undergraduate instruction calculated for a full-time equivalent student at a comparable state institution for the previous year. The commission shall provide tuition and, if appropriate, room and board assistance to such qualified ~~students~~ DEPENDENTS from appropriated student financial assistance funds.

(c) ANY SPOUSE OF A PERSON WHO DIED OR WAS PERMANENTLY DISABLED WHILE ON STATE ACTIVE DUTY, FEDERALIZED ACTIVE DUTY, OR AUTHORIZED TRAINING DUTY AS A COLORADO NATIONAL GUARDSMAN OR ANY SPOUSE OF ANY PERSON WHO HAS BEEN PERMANENTLY DISABLED OR KILLED WHILE ACTING TO PRESERVE THE PUBLIC PEACE, HEALTH, AND SAFETY IN THE CAPACITY OF POLICE OFFICER, SHERIFF, OR OTHER LAW ENFORCEMENT OFFICER OR FIREFIGHTER, UPON BEING ACCEPTED FOR ENROLLMENT INTO ANY STATE INSTITUTION, SHALL BE PERMITTED TO PURSUE STUDIES LEADING TOWARD HIS OR HER FIRST BACHELOR'S DEGREE OR CERTIFICATE OF COMPLETION, FREE OF TUITION FOR SO LONG AS SAID SPOUSE ACHIEVES AND MAINTAINS A CUMULATIVE GRADE POINT AVERAGE OF 2.5 OR ABOVE BASED UPON A 4.0 SCALE, BUT SAID BENEFITS SHALL NOT BE EXTENDED BEYOND SIX YEARS FROM THE DATE OF ENROLLMENT. SUCH SPOUSES PURSUING STUDIES AT A NONPUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THE STATE OF COLORADO SHALL BE ELIGIBLE FOR ASSISTANCE NOT TO EXCEED THE AVERAGE COST OF UNDERGRADUATE INSTRUCTION CALCULATED FOR A FULL-TIME EQUIVALENT STUDENT AT A COMPARABLE STATE INSTITUTION FOR THE PREVIOUS YEAR. SUCH SPOUSES PURSUING STUDIES AT AN OUT-OF-STATE INSTITUTION OF HIGHER EDUCATION SHALL BE ELIGIBLE FOR ASSISTANCE NOT TO EXCEED THE AVERAGE COST OF UNDERGRADUATE INSTRUCTION CALCULATED FOR A FULL-TIME EQUIVALENT STUDENT AT A COMPARABLE STATE INSTITUTION FOR THE PREVIOUS YEAR. THE COMMISSION SHALL PROVIDE TUITION ASSISTANCE TO SUCH QUALIFIED SPOUSES FROM APPROPRIATED STUDENT FINANCIAL ASSISTANCE FUNDS, SUBJECT TO AVAILABLE APPROPRIATIONS AND CONSISTENT WITH THE REQUIREMENTS OF SECTION 23-3.3-202. "

Page 788 of the Appropriations Committee amendment, after line 8, insert the following:

"Page 3, strike lines 1 through 13."

Amendment No. 4(L.013), by Senator Teck.

Amend the Hanna floor amendment (SB069_L.012), page 2, line 28, strike "ENROLLMENT." and substitute "ENROLLMENT OR COMPLETION OF ONE HUNDRED TWENTY CREDIT HOURS, WHICHEVER OCCURS FIRST."

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

SB01-072

by Senator Owen; also Representative Berry--Concerning the creation of employee incentive programs within state agencies to maximize state government efficiency.

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- SB01-072** Amendment No. 1, Public Policy and Planning Amendment. 1
(Printed in Senate Journal, February 9, 2001, pages 249-250.) 2
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Amendment No. 2, Appropriations Committee Amendment. 4
(Printed in Senate Journal, April 12, 2001, pages 817-819.) 5
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As amended, ordered engrossed and placed on the calendar for Third Reading and Final 7
Passage. 8
9
- SB01-057** by Senator Entz; also Representative Stengel--Concerning the imposition of surcharges on 10
certain outdoor recreation activities in order to fund rescue activities. 11
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Amendment No. 1, Agriculture and Natural Resources Committee Amendment. 13
(Printed in Senate Journal, February 7, 2001, pages 201-203.) 14
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Amendment No. 2, Appropriations Committee Amendment. 16
(Printed in Senate Journal, April 12, 2001, page 819.) 17
18
As amended, declared **lost** on Second Reading. 19
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(For further action, see Roll Call Vote on **SB01-057**.) 21
22
- SB01-096** by Senator Linkhart; also Representative Boyd--Concerning the provision of health care to 23
persons in the aid to the needy disabled program. 24
25
Amendment No. 1, Health, Environment, Children and Families Committee Amendment. 26
(Printed in Senate Journal, February 9, 2001, pages 242-243.) 27
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Amendment No. 2, Appropriations Committee Amendment. 29
(Printed in Senate Journal, April 12, 2001, pages 819-820.) 30
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Amendment No. 3(L.005), by Senator Linkhart. 32
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Amend the Health, Environment, Children and Families Committee 34
amendment, as printed in Senate Journal, February 9, page 243, after line 35
8, insert the following: 36
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"line 12, strike "JANUARY 1, 2002," and substitute "JULY 1, 2002,""; 38
39
strike lines 39 through 41 of the committee amendment, and substitute the 40
following: 41
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"strike lines 11 through 18 and substitute "GENERAL ASSEMBLY."." 43
44
As amended, ordered engrossed and placed on the calendar for Third Reading and Final 45
Passage. 46
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- SB01-206** by Senator Hernandez--Concerning recommendations of the senate committee on health, 48
environment, children and families relating to the continuation of requirements for certain 49
reports to the general assembly from executive agencies under article 6.5 of title 25 to 50
article 15 of title 27, Colorado Revised Statutes, and, in connection therewith, repealing 51
reporting requirements to the general assembly that are obsolete. 52
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Laid over until Tuesday, April 17, 2001, at the top of the General Orders Calendar. 54
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- HB01-1370** by Representatives Saliman, Berry, Hefley and Young; also Senators Tate and Reeves-- 56
Concerning parole of persons sentenced to the department of corrections. 57
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Amendment No. 1, Judiciary Committee Amendment. 59
(Printed in Senate Journal, April 12, 2001, page 813.) 60
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Amendment No. 2(L.004), by Senator Arnold. 62
63
Amend the Judiciary committee amendment, as printed in Senate Journal, 64
April 12, page 813, strike lines 17 and 18; 65
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line 20, strike "Page" and substitute "Amend reengrossed bill, page". 67
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Amendment No. 3(L.005), by Senator Tate. 69
70
Amend reengrossed bill, page 2, line 5, strike "SEPTEMBER 1, 2001," and 71
substitute "DECEMBER 1, 2001,". 72

HB01-1370 As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT

SB01-032 by Senator Linkhart; also Representative Alexander--Concerning criminal background checks.

Senator Linkhart moved to amend the Report of the Committee of the Whole to show that the Judiciary Committee amendment to **SB01-032**, as printed in Senate Journal, January 25, page 86, did not pass.

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

ROLL CALL ON SB01-057

SB01-057 by Entz; also Representative Stengel--Concerning the imposition of surcharges on certain outdoor recreation activities in order to fund rescue activities.

Senator Entz requested a roll call vote to show that **SB01-057**, as amended, did pass.

The bill, as amended, was declared passed by the following roll call vote.

YES	32	NO	0	EXCUSED	3	ABSENT	0
Anderson	Y	Evans	Y	May	E	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hagedorn	E	Nichol	E	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Tupa, 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: **SB01-032** as amended, **SB01-069** as amended, **SB01-072** as amended, **SB01-057** as amended, **SB01-096** as amended, **HB01-1370** as amended.
Laid over until Tuesday, April 17, 2001: **SB01-206**.

Committee of the Whole

On motion of Senator Tupa, the Senate resolved itself into Committee of the Whole for consideration of General Orders--Second Reading of Bills. Senator Tupa 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, **SB01-014** was advanced on the General Orders calendar.

SB01-014 by Senators Evans, Epps and Linkhart; also Representatives Alexander, Johnson and Tochtrop--Concerning regulatory oversight of foster care.

Amendment No. 1, Health Environment Children and Families Committee Amendment.
(Printed in Senate Journal, February 9, 2001, pages 243-245.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 4, 2001, pages 746-748.)

Amendment No. 3(L.012), by Senator Evans.

SB01-014

Strike the Appropriations Committee amendment, as printed in Senate Journal, April 4, page 746, lines 28 through 72, page 747, lines 1 through 72, and page 748, lines 1 through 6.

Strike the Health, Environment, Children and Families amendment, as printed in Senate Journal, February 9, page 243, lines 49 through 72, page 244, lines 1 through 72, and page 245, lines 1 through 67, and substitute the following:

"Amend printed bill, strike everything below the enacting clause and substitute the following:

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

2-3-114. Performance audit of foster care program - repeal.

(1) THE STATE AUDITOR SHALL CONDUCT OR CAUSE TO BE CONDUCTED A PERFORMANCE AND FINANCIAL AUDIT OF THE STATE'S FOSTER CARE PROGRAM ESTABLISHED IN THE DEPARTMENT OF HUMAN SERVICES AND ADMINISTERED BY THE DIVISION OF CHILD WELFARE SERVICES IN SAID DEPARTMENT. IN ADDITION TO SUCH OTHER ISSUES AS MAY BE IDENTIFIED BY THE STATE AUDITOR'S OFFICE, SUCH AUDIT SHALL SERVE AS A FOLLOW-UP TO THE AUGUST 1998 REPORT OF THE STATE AUDITOR ON THE DIVISION OF CHILD WELFARE SERVICES IN THE DEPARTMENT OF HUMAN SERVICES.

(2) THE STATE AUDITOR'S OFFICE SHALL SUBMIT ITS FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS IN THE FORM OF A WRITTEN REPORT TO THE MEMBERS OF THE LEGISLATIVE AUDIT COMMITTEE OF THE GENERAL ASSEMBLY AND TO THE MEMBERS OF THE HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE HEALTH, ENVIRONMENT, CHILDREN AND FAMILIES COMMITTEE OF THE SENATE AND TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES NO LATER THAN AUGUST 1, 2002.

(3) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 1, 2002.

SECTION 2. 26-6-104, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

26-6-104. Licenses - out-of-state notices and consent. (8) THE STATE DEPARTMENT IS STRONGLY ENCOURAGED TO EXAMINE AND REPORT TO THE GENERAL ASSEMBLY ON THE BENEFITS OF LICENSING ANY PRIVATE, NONPROFIT CHILD PLACEMENT AGENCY THAT IS DEDICATED TO SERVING THE SPECIAL NEEDS OF FOSTER CARE CHILDREN THROUGH SERVICES DELIVERED BY SPECIALIZED FOSTER CARE PARENTS IN CONJUNCTION WITH AND SUPPORTED BY STAFF OF THE CHILD PLACEMENT AGENCY. SUCH CHILD PLACEMENT AGENCIES EXAMINED SHALL BE ABLE TO:

(a) OFFER THE FOLLOWING SERVICES:

(I) PROVISION OF EDUCATED, SKILLED, AND EXPERIENCED FOSTER CARE PARENTS;

(II) SOCIAL WORK SUPPORT FOR THE FOSTER CARE CHILD AND FOSTER CARE FAMILY;

(III) TWENTY-FOUR-HOUR, ON-CALL AVAILABILITY;

(IV) MONTHLY FOSTER CARE PARENT SUPPORT GROUP MEETINGS;

(V) ON-GOING EDUCATIONAL AND NETWORKING OPPORTUNITIES FOR ANY FOSTER CARE FAMILY;

(VI) INDIVIDUALIZED TREATMENT PLANS DEVELOPED THROUGH TEAM COLLABORATION;

(VII) PROFESSIONAL AND FAMILY NETWORKING OPPORTUNITIES;
AND

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SB01-014

(VIII) RESPITE SUPPORT AND REIMBURSEMENT.

(b) PROVIDE A FORM OF SPECIALIZED FOSTER CARE INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING TYPES OF CARE:

(I) TREATMENT FOSTER CARE;

(II) MEDICAL FOSTER CARE;

(III) RESPITE FOSTER CARE; AND

(IV) INTENSIVE TREATMENT FOSTER CARE.

SECTION 3. Part 1 of article 6 of title 26, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

26-6-117. Accreditation standards for county departments and child placement agencies - study - rules - foster care accreditation fund. (1) NO LATER THAN JULY 1, 2002, THE STATE DEPARTMENT SHALL STUDY:

(a) STANDARDS FOR ASSESSING THE QUALITY AND PERFORMANCE OF FOSTER CARE IN FOSTER CARE HOMES CERTIFIED BY COUNTY DEPARTMENTS OR BY CHILD PLACEMENT AGENCIES BASED UPON NATIONAL STANDARDS FOR FOSTER CARE SERVICES.

(b) STANDARDS FOR THE ACCREDITATION OF COUNTY DEPARTMENTS AND CHILD PLACEMENT AGENCIES FOR PURPOSES OF FOSTER CARE SERVICES BASED UPON ACCREDITATION STANDARDS OF A NATIONALLY RECOGNIZED ACCREDITING BODY OF CHILD WELFARE AND SOCIAL SERVICES ORGANIZATIONS.

(2) IN CONDUCTING SUCH STUDY ON ACCREDITATION STANDARDS, THE STATE DEPARTMENT SHALL COMPARE THE MERITS OF WRITING ITS OWN STANDARDS WITH THE MERITS OF CONTRACTING WITH A NATIONAL ACCREDITING BODY. THE STUDY SHALL INCLUDE, BUT IS NOT LIMITED TO, ANALYZING THE FOLLOWING:

(a) THE FISCAL IMPACT ON THE STATE, COUNTIES, AND PROVIDERS, INCLUDING THE COST OF:

(I) WRITING STANDARDS;

(II) CONTRACTING WITH A NATIONAL ACCREDITING BODY, INCLUDING ALL FEES AND TRAVEL EXPENSES;

(III) TRAINING;

(IV) IMPLEMENTATION;

(V) POTENTIAL CORRECTIVE ACTION;

(VI) STAFF TIME OF COUNTY DEPARTMENTS AND CHILD PLACEMENT AGENCIES TO MEET THE ACCREDITATION STANDARDS;

(VII) COLLECTING AND EVALUATING DATA RELATING TO ACCREDITATION STANDARDS;

(b) THE TIME FRAME FOR IMPLEMENTATION OF ACCREDITATION STANDARDS;

(c) SANCTIONS FOR FAILING TO MEET THE ACCREDITATION STANDARDS.

(3) THE STATE DEPARTMENT SHALL SUBMIT ITS REPORT AND ITS FINDINGS AND RECOMMENDATIONS TO THE HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND TO THE HEALTH, ENVIRONMENT, CHILDREN AND FAMILIES COMMITTEE OF THE SENATE ON OR BEFORE JULY 1, 2002. SUCH REPORT SHALL ALSO INCLUDE ANY RECOMMENDATIONS REGARDING

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SB01-014

LEGISLATIVE CHANGES TO IMPLEMENT THE ACCREDITATION PROCESS.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety. " .".

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 Second Reading--General Orders Calendar (**SB01-081, SB01-204, SB01-098, SB01-089, HB01-1371, HB01-1312, HB01-1153, HB01-1378**) of Monday, April 16, 2001, was laid over until Tuesday, April 17, 2001, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Tupa, 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: **SB01-014** as amended.

Laid over until Tuesday, April 17, 2001: **SB01-081, SB01-204, SB01-098** as amended, **SB01-089** as amended, **HB01-1371, HB01-1312, HB01-1153, HB01-1378**.

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 House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB01-212

by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman-- Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2001, except as otherwise noted.

Senator Reeves moved that the Senate not concur in House amendments to **SB01-212**, as printed in House Journal, April 11, 2001, pages 1176-1192, and that a Conference Committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted**.

Senator Reeves moved that the Senate Conferees on the First Conference Committee on **SB01-212** be given the powers to go beyond the scope of the differences between the two Houses.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted**.

(For further action, see Appointments to Conference Committees.)

APPOINTMENTS TO CONFERENCE COMMITTEES

The President appointed Senators Reeves, Chairman, Tate and Owen as Senate Conferees on the First Conference Committee on **SB01-212**.

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.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Pascoe, the following appointments were confirmed by a roll call vote:

COLORADO SCHOOL OF MINES, BOARD OF TRUSTEES

for terms expiring March 23, 2004:

F. Steven Mooney of Englewood, Colorado, to serve as a representative of graduates and as a Republican, reappointed;

Karen Ostrander-Krug of Golden, Colorado, to serve as a representative of graduates and as a Republican, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	May	E	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	E	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR01-027 by Senator Thiebaut; also Representative Tapia--Concerning the class 4A boys state basketball champions and honoring their accomplishment.

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

SJR01-028 by Senators Andrews andPerlmutter; also Representative Clapp--Concerning "Kids' Bicycle Helmet Week".

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

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON HB01-1034

THIS REPORT ADOPTS THE
REENGROSSED BILL

To the President of the Senate and the Speaker of the House of Representatives:

Your first conference committee appointed on HB01-1034, concerning amendments to the "Colorado Auto Accident Reparations Act", and, in connection therewith, consolidating the definition of a resident relative and clarifying the types of insurance policies, has met and reports that it has agreed upon the following:

That the Senate recede from its amendments made to the bill and that the reengrossed bill be adopted without change.

Respectfully submitted,

House Committee:

Senate Committee:

(signed)
Representative White, Chairman

(signed)
Senator Hagedorn, Chairman

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HB01-1034

(signed)	(signed)
Representative Stengle	Senator Hernandez
(signed)	(signed)
Representative Miller	Senator Anderson

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: **HB01-1224; HJR01-1023, 1024.**

CHANGE IN SPONSORSHIP

Due to the resignation of Senator Dennis, the President announced the following change in sponsorship.

HB01-1240 -- Senator Entz.
HB01-1205 -- Senator Entz.

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, April 16, 2001, was laid over until Tuesday April 17, 2001, retaining its place on the calendar.

Consideration of Resolutions: **SJR01-010, SJR01-023, SJR01-024, HJR01-1021.**
Consideration of Memorials: **SM01-001, HJM01-1001.**
Consideration of House Adherence: **HJR01-1010.**

Consideration of Governors Appointments
Colorado Tourism Office
State Housing Board
Board of Directors of the Colorado Compensation Insurance Authority
Securities Board
Special Funds Board for Workers Compensation Self Insurers
Wildlife Commission
Board of Assessment Appeals

Consideration of Conference Committee Reports: **HB01-1250, HB01-1124, HB01-1187.**

Senate in Recess--Senate Reconvened.

MESSAGE FROM THE HOUSE

April 16, 2001

Mr. President:

The House has postponed indefinitely SB01-119 & 042. The bills are returned herewith.

The House has adopted and returns herewith SJR01-025.

MESSAGES FROM THE GOVERNOR

Appointment Letters of designation and appointments from Governor Owens were read and assigned to Committee as follows:

April 11, 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 hereby withdraw the nomination of the following:

MEMBER OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

for a term expiring July 1, 2003:

James M. Stewart of Colorado Springs, Colorado, to serve as a representative of the Fifth Congressional District and as a Republican, who has resigned.

Sincerely,

(signed)
Bill Owens
Governor

Rec'd: 4/16/01
K. Goldman, Secretary

April 16, 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:

MEMBER OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

for a term expiring July 1, 2004:

James M. Stewart of Colorado Springs, Colorado, to serve as a representative of the Fifth Congressional District and as a Republican, appointed.

Sincerely,

(signed)
Bill Owens Received 4/16/01
Governor K. Goldman, Secretary

Committee on Education.

TRIBUTES--A POINT OF INTEREST

Honoring Stephanie L. Dean by Senator Epps

Honoring Melissa E. Downs by Senator Epps

Honoring Alejandro J. Gonzalez by Senator Epps

Honoring Michael L. Hardy by Senator Epps

Honoring Ashley M. Kimbrough by Senator Epps

Honoring Kausha R. Kinsey by Senator Epps

Honoring Crystal A. Kraemer by Senator Epps

Honoring Keshayka S. Lewis by Senator Epps

Honoring Brittney S. Martinez by Senator Epps

Honoring Brandon J. Mosey by Senator Epps

Honoring Christopher A. Olhava by Senator Epps

Honoring Keith E. Rittenhouse by Senator Epps

Honoring Colin R. Robinson by Senator Epps

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Honoring Crystal L. Schledewitz by Senator Epps	1
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Honoring Charles D. Wagner by Senator Epps	3
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Honoring Ciera Watson by Senator Epps	5
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Honoring Jeffrey A. Zeleznikar by Senator Epps	7
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Honoring Gwenolyn Rapp by Senator Epps	9
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Honoring Cpl. John M. Reffel by Senator Epps	11
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Honoring Police Chief David T. Moore by Senator Epps	13
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Honoring City Manager Greg Nyhoff by Senator Epps	15
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Honoring Mayor Kenneth Barela by Senator Epps	17
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Honoring Rosemarie and Konrad Spurling by Senator Linkhart	19
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Honoring Pastor Steve Johnsen by Senator Linkhart	21
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Honoring Pueblo South High School by Senator Thiebaut	23
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On motion of Senator Tupa, the Senate adjourned until 9:00 a.m., Tuesday, April 17, 2001.	26
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Attest:	35
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Karen Goldman	38
Secretary of the Senate	39