

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

Seventy-third Legislative Day

Friday, March 23, 2001

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

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

Roll Call Present--Total, 33.
Absent/Excused--Epps, Evans--Total 2.
Present later--Evans.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Tate, reading of the Journal of Thursday, March 22, 2001, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Services Correctly rerevised: HB01-1113.

Correctly engrossed: SB01-148.

Correctly enrolled: SB01- 015, 025, 038, 090, 115, 120, 151, 155, 171.

COMMITTEE OF REFERENCE REPORTS

The committees recommend the following:

Judiciary After consideration on the merits, the committee recommends that **HB01-1167** be referred favorably to the Committee of the Whole.

Health, Environment, Children and Families After consideration on the merits, the committee recommends that **HB01-1331** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 12, line 6, before "REPORTS" insert "QUARTERLY", and strike "AS OFTEN AS DIRECTED BY THE";

line 7, strike "BOARD".

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.

**MEMBERS OF THE
COLORADO CHILDREN'S TRUST FUND BOARD**

for terms expiring November 7, 2003:

Mary A. Schaefer of Grand Junction, Colorado, to serve as a representative of business, appointed;

Adoree L. Blair of Littleton, Colorado, to serve as a representative of the mental health field, appointed.

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Business,
Labor and
Finance

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

MEMBERS OF THE
BOARD OF ASSESSMENT APPEALS

for terms expiring July 1, 2001:

Karen E. Hart of Kiowa, Colorado, to serve as a public employee experienced in property evaluation and taxation and as a Democrat, reappointed;

Mark R. Linne of Bailey, Colorado, to serve as a public employee experienced in property evaluation and taxation and as a Republican, appointed;

Debra Baumbach of Littleton, Colorado, to serve as a public employee experienced in residential appraisals and as an Unaffiliated, reappointed;

Joseph R. Shaw of Highlands Ranch, Colorado, to serve as a public employee experienced in property evaluation and taxation and as a Republican, appointed.

Business,
Labor, and
Finance

After consideration on the merits, the committee recommends that **HB01-1313** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, line 17, strike "2003," and substitute "2001,".

Page 3, line 9 strike, "IF:" and substitute "IF THE TAXPAYER HAS PROVIDED ONE OR MORE CHILDREN IN FOSTER CARE WITH TWENTY-FOUR HOUR FAMILY CARE IN THE TAXPAYER'S FOSTER CARE HOME FOR ONE HUNDRED EIGHTY DAYS OF THE TAXABLE YEAR FOR WHICH THE CREDIT IS CLAIMED.";

strike lines 10 through 17.

Page 4, strike line 6 and substitute the following:

"(5) (a) IF, BASED ON THE FINANCIAL REPORT PREPARED BY THE CONTROLLER IN ACCORDANCE WITH SECTION 24-77-106.5, C.R.S., THE CONTROLLER CERTIFIES THAT THE AMOUNT OF STATE REVENUES FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2000, EXCEEDS THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY SECTION 20 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION FOR THAT FISCAL YEAR BY LESS THAN TWO HUNDRED MILLION DOLLARS, THEN THE CREDIT AUTHORIZED BY SUBSECTION (2) OF THIS SECTION SHALL NOT BE ALLOWED FOR THE INCOME TAX YEAR COMMENCING ON JANUARY 1, 2001.

(b) IF, BASED ON THE FINANCIAL REPORT PREPARED BY THE".

Reletter succeeding paragraphs accordingly.

Page 4, line 9, strike "2003," and substitute "2001,";

line 12, strike "FIVE HUNDRED MILLION" and substitute "TWO HUNDRED MILLION";

line 13, strike "(b)" and substitute "(c)";

line 17, strike "2003," and substitute "2002,";

line 19, strike "(a)" and substitute "(b)";

line 22, strike "MADE; EXCEPT THAT IN 2003 THE EXECUTIVE" and substitute "MADE.";

strike lines 23 and 24;

line 25, strike "AND 2002.".

Page 5, line 13, strike "(b)," and substitute "(c)."

Page 6, line 10, strike "(b)," and substitute "(c).";

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HB01-1313

line 19, strike "(b)" and substitute "(c)";

line 24, strike "2003," and substitute "2001,".

Business,
Labor, and
Finance

After consideration on the merits, the committee recommends that **HB01-1166** 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 11, strike "CIVIL".

Page 3, line 8, after "OF", insert "THE".

Page 4, line 4, after "SUBCONTRACTOR", insert "OR SUPPLIER";

line 24, strike "PERSONAL" and substitute "BODILY";

line 25, strike "REAL PROPERTY FOR" and substitute "RESIDENTIAL REAL PROPERTY.";

strike line 26.

Page 5, line 4, strike "OR";

line 5, strike "CLAIMS," and substitute "CLAIMS; OR"

strike lines 6 and 7 and substitute the following:

"(c) THE ASSERTION OF CLAIMS THAT ARISE FROM THE VIOLATION OF ANY STATUTE OR ORDINANCE OTHER THAN CLAIMS FOR VIOLATION OF A BUILDING CODE."

Page 7, line 2, after "PRIVILEGE", insert "OR RIGHT OF CONFIDENTIALITY".

Business,
Labor, and
Finance

After consideration on the merits, the committee recommends that **HB01-1287** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 8, line 15, strike "section." and substitute "section; EXCEPT THAT, IF THE DEPARTMENT IS UNABLE TO MAKE A REFUND BY NOVEMBER 15 DUE TO AN UNAVOIDABLE DELAY IN PROCESSING THE CREDIT, INCLUDING BUT NOT LIMITED TO AN UNAVOIDABLE DELAY RESULTING FROM ANY COMPUTER OR CHECK PRINTING PROBLEM, THE DEPARTMENT MAY MAKE THE REFUND NO LATER THAN NOVEMBER 30 OF SAID STATE FISCAL YEAR.".

Business,
Labor, and
Finance

After consideration on the merits, the committee recommends that **HB01-1256** be referred favorably to the Committee of the Whole.

Business,
Labor, and
Finance

After consideration on the merits, the committee recommends that **HB01-1300** be postponed indefinitely.

MESSAGE FROM THE HOUSE

March 22, 2001

Mr. President:

The House has postponed indefinitely SB01-001 and 086. The bill is returned herewith.

The House has passed on Third Reading and returns herewith SB01-132.

March 22, 2001

Mr. President:

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In response to the request of the Senate, the Speaker has appointed Speaker Dean, chairman, Spence, and Mace as House conferees on the First Conference Committee on SB01-129.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR01-021 by Senators Hanna, Dennis, Epps, Fitz-Gerald, Hagedorn, McElhany, Pascoe, Taylor, and Windels; also Representatives Rhodes, Cloer, Coleman, Marshall, Romanoff, Spence, and Stafford--Concerning raising awareness of the disease Scleroderma.

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

SR01-011 by Senators Musgrave and Hillman--Concerning encouraging Colorado's Congressional Delegation to support funding of the U.S.D.A. Agricultural Research Service Station located in Akron.

WHEREAS, The United States Department of Agriculture has established the Agricultural Research Service's (ARS) Central Great Plains Research Station (CGPRS) in Akron, Colorado, which research station is also affiliated with the Colorado State University Experiment Station; and

WHEREAS, The CGPRS was established in 1907 in a county that currently has approximately 1,450 farm families and a total population of approximately 4,700 individuals; and

WHEREAS, The Central Great Plains region encompasses portions of 4 states, comprising some 55 million acres in eastern Colorado, western Nebraska, southeastern Wyoming, and western Kansas; and

WHEREAS, The mission of the CGPRS is to develop long-term, sustainable cropping systems for the farmers and agricultural community of the Central Great Plains region; and

WHEREAS, The people of the agricultural community in the Central Great Plains are environmental stewards of the land; and

WHEREAS, The CGPRS works to develop technology in order to keep the dryland farming profitable and environmentally sustainable and improve water, nutrient use efficiency, and resource protection and help the people maintain their role as stewards; and

WHEREAS, Through such research, the CGPRS also takes on the role of risktaker so that the farmers can be spared costs and potential loss of crops by experimenting with new methods that may improve the practice of farming; and

WHEREAS, The CGPRS also houses scientists from the U.S.D.A. Natural Resources Conservation Service and staff from the Colorado State University cooperative extension and research program at its own cost, which cost is justifiable because of the cooperative value gained through joint efforts; and

WHEREAS, The ARS is funded only through federal dollars; and

WHEREAS, The current federal budget allocation to the CGPRS is \$1,242,000 and the 1991 allocation was \$1,122,000, representing an increase, over 10 years, of only \$120,000; and

WHEREAS, With the steady rise of inflation in the United States at an estimated rate of 4% annually, the CGPRS budget has been eroding over the last 10 years until now, in 2001, the CGPRS has found itself approximately \$300,000 short of real operating dollars because adequate consideration has not been given to rising inflation and the general increase in research costs due to health and safety and Environmental Protection Agency concerns; and

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SR01-011

WHEREAS, The ARS currently employs 4 research scientists, 9 technical support personnel, one secretary, and one administrative assistant; and

WHEREAS, The ARS has a critical mass formula of 5 research scientists, meaning that the CGPRS is operating below critical mass, and in fact is now the smallest ARS location in the 7-state northern plains area; and

WHEREAS, Because we depend on the agricultural community to provide food, the continuation of research to improve farming methods, increase yields, and protect our natural resources is beneficial to all people; and

WHEREAS, Although less than one percent of the American population is involved in farming, the agricultural industry contributes over one trillion dollars to the United States economy; now, therefore,

Be It Resolved by the Senate of the Sixty-third General Assembly of the State of Colorado:

That we, the members of the Colorado Senate of the Sixty-third General Assembly, encourage the members of Colorado's Congressional Delegation to support increased funding of the Agricultural Research Service's Central Great Plains Research Station located in Akron, Colorado.

Be It Further Resolved, That copies of this Resolution be sent to Colorado's Congressional Delegation, the Honorable Ann M. Veneman, Secretary of the United States Department of Agriculture, and Research Leader Merle Vigil of the ARS Central Great Plains Research Station.

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

THIRD READING--FINAL PASSAGE OF BILLS

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

SB01-148

by Senator Perlmutter; also Representative Stengel--Concerning growth management in Colorado, and making an appropriation therefor.

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

Laid over until later in the calendar.

(For further action, see page 640.)

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. The Governor's Appointments Calendar of Friday, March 23, 2001 was laid over until Monday, March 26, 2001.

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 **HJR01-1014**.

CONSIDERATION OF RESOLUTIONS

HJR01-1014

by Representative Dean; also Senator Matsunaka--Concerning closing the learning gap.

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

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HJR01-1014

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 of the Senate.

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 Resolutions Calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE RESOLUTIONS

SJR01-015 by Senator Matsunaka; also Representative Fritz--Concerning Colorado Children's Day.

Senator Matsunaka moved that the Senate concur in House amendments to **SJR01-015**, as printed in House Journal, March 13, 2001, page 766. The motion was **passed** 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		

The question being "Shall the resolution, 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 resolution, as amended, was declared **readopted**.

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

SJR01-019 by Senator Andrews; also Representative Spradley--Concerning commendation of the Boy Scouts of America.

(Amended as printed in Senate Journal, March 21, 2001, page 594.)

On a motion by Senator Andrews, the resolution, as amended, was laid on the table.

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:

SB01-081 by Senator Phillips; also Representative Kester--Concerning local financing of school capital construction projects.

Laid over until end of Second Reading Calendar.

SB01-204 by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman--Concerning state policies relating to the implementation of section 17 of article IX of the state constitution.

Laid over until end of Second Reading Calendar.

SCR01-002 by Senator Gordon; also Representative Hefley--Concerning the submission to the registered electors of the state of Colorado of an amendment to the constitution of the state of Colorado, exempting district attorneys from constitutional term limits.

Laid over until end of Second Reading Calendar.

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.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, March 14, 2001, page 544.)

Amendment No. 2 (L. 010), by Senator Matsunaka.

Amend the Education Committee Amendment, as printed in Senate Journal, March 14, page 544, line 23, strike "ACT.;" and substitute "ARTICLE.;"

line 32, change the last period to a semi-colon;

after line 32, insert the following:

"strike lines 20 and 21.

Page 9, after line 8, insert the following:

"(5) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO LIMIT OR OTHERWISE AFFECT ANY SCHOOL DISTRICT'S ABILITY TO ENTER INTO AN AGREEMENT WITH OR RECEIVE FUNDS FROM ANY PRIVATE ENTITY." .

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

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

Amendment No. 1 (L.006), by Senators Hillman and Linkhart.

Amend reengrossed bill, page 2, line 4, strike "physical" and strike "suffocate" and substitute "suffer physical injury or death".

Page 3, strike lines 2 and 3 and substitute the following:

"INVOLVE RESTRAINT AS DEFINED IN SECTION 26-20-102, C.R.S., CREATING A SITUATION IN WHICH A PATIENT MAY SUFFER PHYSICAL INJURY OR DEATH." .

HB01-1238 As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

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

Amendment No. 1, Health, Environment, Children and Families Committee Amendment.
(Printed in Senate Journal, March 9, 2001, page 518.)

Amendment No. 2 (L.003), by Senator Hanna.

Amend the committee amendment, as printed in Senate Journal, March 9, page 518, line 8, strike "BURDENSOME" and substitute "RESTRICTIVE WITH RESPECT TO A COVERED PERSON OR A MENTAL HEALTH PROVIDER".

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

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

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

Amend reengrossed bill, page 2, after line 1, insert the following:

"**SECTION 1.** 24-34-104 (32), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (32) The following function of the specified agency shall terminate on July 1, 2003:

(d) THE USE OF ELECTRONIC HEARINGS BY THE DEPARTMENT OF REVENUE PURSUANT TO SECTION 42-1-218.5, C.R.S.";

Renumber succeeding sections accordingly.

Page 2, line 4, strike "**hearings.**" and substitute "**hearings - repeal. (1)**";

after line 8, insert the following:

"(2) THE GENERAL ASSEMBLY RECOGNIZES THAT THERE IS AN INCREASE IN THE NUMBER OF HEARINGS CONDUCTED BY THE DEPARTMENT; THAT A LICENSEE HAS THE RIGHT TO APPEAR IN PERSON AT A HEARING; AND THAT A LICENSEE OR A LAW ENFORCEMENT OFFICER MAY NOT BE ABLE TO APPEAR IN PERSON AT A HEARING. THE GENERAL ASSEMBLY THEREFORE DIRECTS THE DEPARTMENT TO CONSIDER THE CIRCUMSTANCES OF THE LICENSEE WHEN A LICENSEE REQUESTS TO APPEAR IN PERSON, AND GRANT THE REQUEST WHENEVER POSSIBLE. THE GENERAL ASSEMBLY FURTHER DIRECTS THE DEPARTMENT TO CONSIDER THE CIRCUMSTANCES OF THE LICENSEE AND THE LAW ENFORCEMENT OFFICER WHEN EITHER MAY NOT BE ABLE TO APPEAR IN PERSON, AND ALLOW THE APPEARANCE BY ELECTRONIC MEANS WHENEVER POSSIBLE.

(3) THE DEPARTMENT SHALL END THE USE OF ELECTRONIC HEARINGS CONDUCTED PURSUANT TO ARTICLES 1 AND 2 OF THIS TITLE, EFFECTIVE JULY 1, 2003. PRIOR TO THIS DATE, THE USE OF ELECTRONIC HEARINGS SHALL BE REVIEWED AS PROVIDED FOR IN SECTION 24-34-104, C.R.S.

(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2003.";

line 19, strike "MEANS." and substitute "MEANS IN ACCORDANCE WITH SECTION 42-1-218.5."

Page 3, line 19, strike "MEANS." and substitute "MEANS IN ACCORDANCE WITH SECTION 42-1-218.5.";

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HB01-1210		1
	line 24, strike "MEANS." and substitute "MEANS IN ACCORDANCE WITH SECTION 42-1-218.5."	2
	Page 4, line 13, strike "MEANS." and substitute "MEANS IN ACCORDANCE WITH SECTION 42-1-218.5.";	3
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	line 24, strike "MEANS." and substitute "MEANS IN ACCORDANCE WITH SECTION 42-1-218.5."	5
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	line 24, strike "MEANS." and substitute "MEANS IN ACCORDANCE WITH SECTION 42-1-218.5."	7
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	Page 5, line 12, strike "MEANS." and substitute "MEANS IN ACCORDANCE WITH SECTION 42-1-218.5."	9
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	As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.	11
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HB01-1275	by Representative Paschall; also Senator Hagedorn and May--Concerning the Colorado institute of technology.	13
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	Laid over until Monday, March 26, 2001, retaining its place on the calendar.	15
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HB01-1283	by Representatives Rhodes, Fairbank, Paschall and White; also Senator Hagedorn--Concerning the bonding authority of the Colorado housing and finance authority, and, in connection therewith, eliminating the dollar limitation on the amount of bonds that the authority may issue and prohibiting the authority from establishing new capital reserve funds used for the payment of bonds.	17
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	Ordered revised and placed on the calendar for Third Reading and Final Passage.	19
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HB01-1348	by Representative Williams S.; also Senator Pascoe--Concerning the use of scores of students with individual educational programs.	21
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	Laid over until Monday, March 26, 2001, retaining its place on the calendar.	23
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HB01-1096	by Representative Vigil; also Senator Hagedorn--Concerning the authority to allow recipients to supplement the amount received through the child care assistance program.	25
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	Laid over until Monday, March 26, 2001, retaining its place on the calendar.	27
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HB01-1025	by Representative Bacon; also Senator Tupa--Concerning the privacy of motor vehicle records maintained by the department of revenue.	29
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	Laid over until Monday, March 26, 2001, retaining its place on the calendar.	31
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HB01-1321	by Representatives Decker, Cadman, Garcia and White; also Senator Linkhart--Concerning the effect of the execution of a tax deed on a preexisting equitable servitude that runs with land.	33
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	Ordered revised and placed on the calendar for Third Reading and Final Passage.	35
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HB01-1132	by Representatives Scott, Witwer, Mitchell, Boyd, Groff, Mace, Madden, Paschall, Plant, Swenson and Veiga; also Senator Tupa--Concerning the annexation by a special statutory district of unincorporated territory that is entirely surrounded by the district.	37
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	Laid over until Monday, March 26, 2001, retaining its place on the calendar.	39
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HB01-1286	by Representative Alexander; also Senator Hagedorn--Concerning faith healing in the crime of child abuse.	41
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	Laid over until Monday, March 26, 2001, retaining its place on the calendar.	43
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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.	45
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	<u>Amendment No. 1, Agriculture and Natural Resources Committee Amendment.</u> (Printed in Senate Journal, March 14, 2001, page 543.)	47
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	<u>Amendment No. 2, by Senator Gordon.</u>	49
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	Amend the committee amendment, as printed in Senate Journal, March 14, page 543, strike line 35 and substitute the following:	51
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HB01-1160

""COSTS,"."

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

HB01-1297

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

Ordered revised 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, **SB01-119** was advanced on the General Orders calendar.

SB01-119

by Senator Teck; also Representative Young--Concerning measures that will ensure that the department of revenue has sufficient funds to continue issuing license plates, and, in connection therewith, eliminating the requirement for front license plates and making an appropriation.

Amendment No. 1, Public Policy and Planning Committee Amendment.
(Printed in Senate Journal, February 2, 2001, page 171.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 21, 2001, page 596.)

As amended, ordered revised 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 (**HB01-1292, HB01-1131, SB01-005, SB01-042, SB01-093, SB01-095, SB01-113, SB01-061, SB01-134, SB01-149, SB01-121, SB01-202**) of Friday, March 23, 2001, was laid over until Monday, March 26, 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: **HB01-1163** as amended, **HB1238** as amended, **HB01-1236** as amended, **HB01-1210** as amended, **HB01-1283, HB01-1321, HB01-1160** as amended, **HB01-1297, SB01-119** as amended.

Laid over until Monday, March 26, 2001: **HB01-1275, HB01-1348, HB01-1096, HB01-1025, HB01-1132, HB01-1286, HB01-1292, HB01-1131, SB01-005, SB01-042, SB01-093, SB01-095, SB01-113, SB01-061, SB01-134, SB01-149, SB01-121, SB01-202, SB01-081, SB01-204, SCR01-002.**

THIRD READING--FINAL PASSAGE OF BILL
(Continuation)

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

SB01-148

by Senator Perlmutter; also Representative Stengel--Concerning growth management in Colorado, and making an appropriation therefor.

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

Third Reading Amendment (L.057), by Senator Taylor.

Amend engrossed bill, page 38, line 25, after "(a)", insert "(I)";

line 27, after the semicolon, add the following:

"EXCEPT THAT THIS PARAGRAPH (a) SHALL NOT BE INTERPRETED TO PROHIBIT AN OWNER OF A SINGLE PARCEL OF PROPERTY CREATED PRIOR TO JANUARY 1, 2001, ON LAND IN AN UNINCORPORATED, NON-URBAN AREA,

SB01-148

AND OUTSIDE OF AN URBAN SERVICE AREA, FROM CONSTRUCTING A SINGLE-FAMILY RESIDENTIAL DWELLING UTILIZING AN INDIVIDUAL SEPTIC SYSTEM. THIS PARAGRAPH (a) SHALL NOT BE CONSTRUED TO PERMIT THE OWNER OF MULTIPLE CONTIGUOUS PARCELS OF LAND TOTALING LESS THAN THIRTY FIVE ACRES FROM CONSTRUCTING MORE THAN ONE RESIDENTIAL DWELLING UNIT. THIS PARAGRAPH (a) SHALL NOT BE CONSTRUED AS EXPANDING OR CREATING ANY VESTED RIGHTS, AND ALL OTHER APPLICABLE LAND USE REGULATIONS SHALL APPLY. "

Page 39, line 1, strike "EXCEPT THAT A" and substitute "(II) A".

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	23	NO	11	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	N	Gordon	Y	Musgrave	N	Taylor	Y
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	N	Hanna	Y	Owen	N	Thiebaut	Y
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	N	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**.

Co-sponsors added: Fitz-Gerald, Hagedorn, Hanna, Hernandez, Pascoe, Phillips, Tupa, Windels.

**MEMORANDUM
REPORT FROM THE HOUSE AND SENATE
COMMITTEES ON DELAYED BILLS**

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadlines for the Long Appropriation Bill:

The Monday, March 26 deadline (the 76th legislative day) for introduction of the long appropriation bill in the Senate is extended until Friday, March 30, 2001 (the 80th legislative day).

The Friday, March 30 deadline (the 80th legislative day) for final passage of the long appropriation bill in the Senate is extended until Thursday, April 5, 2001 (the 86th legislative day).

The Friday, April 6 deadline (the 87th legislative day) for final passage of the long appropriation bill in the House is extended until Thursday, April 12, 2001 (the 93rd legislative day).

The Friday, April 13 deadline (the 94th legislative day) for adoption of the conference committee report on the long appropriation bill is extended until Thursday, April 19, 2001 (the 100th legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

(signed)
Representative Dean
Speaker of the House of Representatives

(signed)
Senator Matsunaka
President of the Senate

(signed)
Representative Spradley
House Majority Leader

(signed)
Senator Thiebaut
Senate Majority Leader

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(signed)
Representative Grossman
House Minority Leader

(signed)
Senator Andrews
Senate Minority Leader

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SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: **HB01-1023, 1056, 1228, 1265, 1323.**

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The President has signed: **SB01-151.**

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On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, March 23, 2001, was laid over until Monday, March 26, 2001, retaining its place on the calendar.

Consideration of Resolutions: **SJR01-013, SJR01-010, HJR01-1018, SJR01-020.**

Consideration of House Amendments to the Senate Bills: **SB01-169, SB01-165, SB01-107.**

Consideration of House Adherence: **HJR01-1010.**

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TRIBUTES--A POINT OF INTEREST

Honoring Jessica Mertens by Senator Musgrave

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Honoring Amber Whitlock by Senator Musgrave

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Honoring Liz Templeton by Senator Musgrave

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Honoring Tori Schiller by Senator Musgrave

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Honoring Sheila Mertens by Senator Musgrave

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Honoring Andi Whitlock by Senator Musgrave

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Honoring Kim Kilmer by Senator Musgrave

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Honoring Mandy Davison by Senator Musgrave

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Honoring Megan McEnadaffer by Senator Musgrave

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On motion of Senator Thiebaut, the Senate adjourned until 10:00 a.m., Monday, March 26, 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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