

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

Seventy-eighth Legislative Day

Wednesday, March 28, 2001

Prayer By the chaplain, Clyde Miller, Washington Park United Church of Christ.

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

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

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Taylor, reading of the Journal of Tuesday, March 27, 2001, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Services Correctly printed: SB01-213.

Correctly rerevised: HB01-1351, 1254, 1239, 1217, 1340, 1008, 1275, 1348, 1096, 1025, 1292.

Correctly reengrossed: SB01-203, 061.

Correctly revised: HB01-1167, 1166, 1287, 1286, 1256.

Correctly engrossed: SB01-005, 042, 093, 095, 113, 134, 149, 121, 202.

Correctly enrolled: SB0-021, 003, 011, 043, 102.

To the Governor for signature on Tuesday, March 27, 2001, at 3:45 pm: SB 01-021.

INTRODUCTION OF BILLS--FIRST READING

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

SB01-214 by Senator Dyer (Durango); also Representative Hoppe--Concerning the application of state air quality standards to the use of prescribed fire for management activities within the state, and making an appropriation therefor.
Agriculture and Natural Resources

HB01-1223 by Representatives Lee, Miller, Fritz, Johnson and Spence; also Senators Hernandez, Phillips, Dyer (Durango), Epps, Hillman and Teck--Concerning the exemption of bingo equipment from sales and use taxes.
Business, Labor, and Finance

HB01-1360 by Representatives Lawrence, Larson and Miller; also Senator Phillips--Concerning the master lease program.
Public Policy and Planning

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:

HB01-1167 by Representatives Paschall, King, Rhodes and Saliman; also Senators Gordon, Hagedorn, Lamborn and Perlmuter--Concerning damages in wrongful death cases.

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

HB01-1167

YES	32	NO	1	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	May	Y	Takis	Y
Andrews	N	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	E
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

HB01-1166

by Representative Stengel; also Senator Fitz-Gerald--Concerning actions asserting construction defect claims for property loss and damage, and, in connection therewith, creating a disclosure requirement in certain actions, restricting construction defect negligence claims, modifying the statute of limitations for certain claims, and requiring the disclosure of construction defect litigation by the executive board of a unit owners' association to the unit owners.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	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	E
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Andrews, Arnold, Cairns, Epps, Gordon, Hanna, Hernandez, Hillman, Lamborn, Matsunaka, McElhany, Musgrave, Nichol, Perlmutter, Reeves, Tate, Teck.

HB01-1287

by Representative Spradley; also Senator Perlmutter--Concerning business personal property tax, and, in connection therewith, increasing the amount of the credit against state taxes for a portion of business personal property tax paid and modifying the administration of the credit.

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

YES	29	NO	4	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	N
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	N
Dennis	Y	Hernandez	Y	Pascoe	N	Tupa	E
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	N	Reeves	Y		

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

Co-sponsors added: Arnold, Cairns, Chlouber, Dennis, Dyer (Arapahoe), Epps, Fitz-Gerald, Hagedorn, Hanna, Hernandez, Hillman, Matsunaka, May, Musgrave, Nichol, Owen, Reeves, Taylor, Teck.

HB01-1286

by Representative Alexander; also Senator Hagedorn--Concerning faith healing in the crime of child abuse.

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

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HB01-1286

YES	23	NO	10	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	N	Taylor	Y
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	N	Hanna	Y	Owen	N	Thiebaut	Y
Dennis	N	Hernandez	Y	Pascoe	Y	Tupa	E
Dyer, E.	N	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	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: Hernandez, Linkhart, Teck.

HB01-1256

by Representative Webster; also Senator Phillips--Concerning an expansion of the definition of "farm equipment" under the state sales and use tax to include dairy equipment.

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

Third Reading Amendment(L.005), by Senator Phillips.

Amend revised bill, page 4, line 8, strike "INCLUDES" and substitute "INCLUDES, REGARDLESS OF PURCHASE PRICE,".

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

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

YES	32	NO	1	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	N
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	E
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Arnold, Chlouber, Dennis, Hernandez, Hillman, Lamborn, Matsunaka, May, Musgrave, Nichol, Taylor.

SB01-005

by Senator Musgrave; also Representative Sinclair--Concerning a requirement that an applicant for registration of a commercial vehicle declare the status of the commercial vehicle when a vehicle is registered, and, in connection therewith, creating a definition for commercial vehicle.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	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	E
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: May, Taylor.

SB01-042

by Senator Takis; also Representative Coleman--Concerning the inclusion of construction worker safety training as a standard for approval of cost containment and risk management programs for the construction industry by the workers' compensation cost containment board.

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

YES	26	NO	7	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	N
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	N	Thiebaut	Y
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	E
Dyer, E.	Y	Hillman	N	Perlmutter	Y	Windels	Y
Dyer, F.	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, Hernandez, Linkhart, Nichol, Pascoe, Phillips, Tate.

SB01-093

by Senator Chlouber; also Representative Larson--Concerning the creation of the Colorado telemarketing no-call list for residential telephone subscribers who wish to avoid all unwanted commercial telephone solicitation.

Laid over until Friday, March 30, 2001, retaining its place on the calendar.

SB01-095

by Senators Linkhart and Owen; also Representative Lee--Concerning appropriations from the offender services fund for adult and juvenile probation services.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	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	E
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

SB01-113

by Senators Hernandez, Evans, Hagedorn and Hanna; also Representative Clapp--Concerning regulation of physical therapists, and, in connection therewith, continuing the regulation of physical therapists by the director of the division of registrations in the department of regulatory agencies.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	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	E
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

SB01-134

by Senator Fitz-Gerald; also Representative Scott--Concerning an increase in the sales and use tax that a county may levy for the purpose of funding mass transit.

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

YES	22	NO	11	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	N	Taylor	N
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	N	Thiebaut	Y
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	E
Dyer, E.	Y	Hillman	N	Perlmutter	Y	Windels	Y
Dyer, F.	N	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	N	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: Hanna, Hernandez, Linkhart, Matsunaka, Pascoe, Perlmutter, Phillips, Tate, Windels.

SB01-149

by Senator Owen; also Representative Scott--Concerning the state defined contribution plan.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	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	E
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

SB01-121

by Senator Taylor; also Representative Hoppe--Concerning continuation of the asbestos control program.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	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	E
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

SB01-202

by Senators Thiebaut, Matsunaka and Andrews; also Representatives Spradley, Dean and Grossman--Concerning appropriations related to the legislative department, and making appropriations in connection therewith.

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

SB01-202

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	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	E
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

HB01-1238

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.

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

Third Reading Amendment(L.010), by Senators Hillman and Linkhart.

Amend revised bill, page 3, line 1, strike "ANY";

strike line 2 and substitute the following:

"INVOLVE ANY RESTRAINT THAT CREATES";

line 3, after the period, add "FOR THE PURPOSES OF THIS SUBPARAGRAPH (IV), A PARENT OR LEGAL GUARDIAN MAY NOT CONSENT TO PHYSICAL, CHEMICAL, OR MECHANICAL RESTRAINT ON BEHALF OF A CHILD OR WARD.".

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

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	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	E
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Hagedorn, Hernandez, Linkhart, Pascoe, Takis.

SENATE RECEDES ON SB01-156

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.

Senator Dennis moved that the First Conference Committee on **SB01-156** be dissolved. The motion was adopted by the following roll call vote:

SB01-156

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	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	E
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

Senator Dennis moved that the Senate recede from its position. The motion was adopted by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	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	E
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

Senator Dennis moved that the Senate concur with the House amendments to SB01-156. The motion was adopted by the following roll call vote:

YES	32	NO	1	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	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	E
Dyer, E.	Y	Hillman	Y	Perlmutter	N	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

YES	32	NO	1	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	E
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

Committee of the Whole

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

GENERAL ORDERS--SECOND READING OF BILLS

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

HB01-1132

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.

Laid over until Thursday, March 29, 2001, retaining its place on the calendar.

HB01-1189	by Representatives Daniel, Boyd, Crane, Hefley, Jahn, Veiga, Williams S.; also Senator Windels--Concerning forfeiture provisions in agreements affecting persons in facilities providing residential care.	1 2 3 4
	Laid over until Friday, March 30, 2001, retaining its place on the calendar.	5 6
SB01-105	by Senator Hanna--Concerning reimbursement of the costs incurred by licensed educators in obtaining national credentialing.	7 8 9
	<u>Amendment No. 1, Education Committee Amendment.</u> (Printed in Senate Journal, February 8, 2001, page 215-216.)	10 11 12
	<u>Amendment No. 2, Appropriations Committee Amendment.</u> (Printed in Senate Journal, March 26, 2001, page 644-645.)	13 14 15
	As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	16 17 18
SB01-157	by Senators Dyer (Durango) and Evans; also Representative Hoppe--Concerning the funding of Colorado water conservation board projects, and making appropriations in connection therewith.	19 20 21 22
	Ordered engrossed and placed on the calendar for Third Reading and Final Passage.	23 24
HB01-1308	by Representatives Cloer, Borodkin, Daniel, Groff, Hodge, Jahn, Jameson, Madden, Scott, Sinclair, Stafford, Tochtrop, Vigil, White, Williams S. and Witwer; also Senator Hernandez--Concerning the treatment of the remains of a fetal death.	25 26 27 28
	<u>Amendment No. 1, Health, Environment, Children and Families Committee Amendment.</u> (Printed in Senate Journal, March 26, 2001, page 644.)	29 30 31
	As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.	32 33 34
SB01-209	by Senators Windels, Phillips and McElhany; also Representatives Miller, Larson and Lawrence--Concerning the funding of capital construction projects at state-supported institutions of higher education.	35 36 37 38
	Ordered engrossed and placed on the calendar for Third Reading and Final Passage.	39 40
SB01-168	by Senator Hagedorn; also Representative Alexander--Concerning the requirement of the completion of level II alcohol treatment for persistent drunk drivers.	41 42 43
	<u>Amendment No. 1, Judiciary Committee Amendment.</u> (Printed in Senate Journal, February 6, 2001, page 195-196.)	44 45 46
	<u>Amendment No. 2, Appropriations Committee Amendment.</u> (Printed in Senate Journal, March 26, 2001, page 645.)	47 48 49
	<u>Amendment No. 3(L.002), by Senator Hagedorn.</u>	50 51
	Amend printed bill, page 4, line 2, strike "OR (II)";	52 53
	line 7, before "OR" insert "IF THE PERSON WAS DETERMINED TO BE IN VIOLATION OF SUBPARAGRAPH (II) OF PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION;" .	54 55 56 57
	As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	58 59 60
SB01-127	by Senator Takis; also Representative Mitchell--Concerning the protection of local government public deposits in credit unions.	61 62 63
	Laid over until Thursday, March 29, 2001, retaining its place on the calendar.	64 65
SB01-100	by Senator Gordon--Concerning the requirement for additional disclosures by persons making charitable solicitations, and, in connection therewith, prohibiting certain practices.	66 67 68
	<u>Amendment No. 2, Appropriations Committee Amendment.</u> (Printed in Senate Journal, March 26, 2001, page 646-647.)	69 70 71 72

- SB01-100** As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 1
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- SB01-016** by Senator Reeves; also Representative Larson--Concerning certification by the Colorado peace officers standards and training board. 3
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Amendment No. 1, Judiciary Committee Amendment. 7
(Printed in Senate Journal, February 1, 2001, page 160-161.) 8
9
Amendment No. 2, Appropriations Committee Amendment. 10
(Printed in Senate Journal, March 26, 2001, page 647-648.) 11
12
Amendment No. 3(L.004), by Senator Reeves. 13
14
Amend printed bill, page 2, line 18, strike "18-7-502,". 15
16
As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 17
18
- SB01-006** by Senators Dennis, Chlouber and Dyer (Durango); also Representatives Larson and Stengel--Concerning the creation of the habitat partnership program, and, in connection therewith, changing the duties of the habitat partnership council, habitat partnership committee, and director of the division of wildlife, and funding the habitat partnership cash fund. 19
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Amendment No. 1, Agriculture and Natural Resources Committee Amendment. 26
(Printed in Senate Journal, January 29, 2001, page 108.) 27
28
Amendment No. 2, Appropriations Committee Amendment. 29
(Printed in Senate Journal, March 26, 2001, page 648.) 30
31
Declared **lost** on Second Reading. 32
33
(For further action, see Roll Call Vote on **SB01-006**.) 34
35
- HB01-1114** by Representative Groff; also Senator Tate--Concerning profiling in connection with law enforcement traffic stops. 36
37
38
Laid over until Thursday, March 28, 2001, retaining its place on the calendar. 39
40
- HB01-1074** by Representative Kester; also Senator Hillman--Concerning acceptance by the state of the Fort Lyon property conveyed by the federal government. 41
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43
Laid over until Thursday, March 28, 2001, retaining its place on the calendar. 44
45
- SB01-052** by Senators Linkhart, Anderson, Hagedorn, Reeves, Taylor and Windels; also Representative Coleman-- Concerning changes to the children's basic health plan, and, in connection therewith, making changes in eligibility and enrollment for the plan and changing the administrative structure of the plan. 46
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Amendment No. 1, Health, Environment, Children and Families Committee Amendment. 51
(Printed in Senate Journal, February 15, 2001, page 298-299.) 52
53
Amendment No. 2, Appropriations Committee Amendment. 54
(Printed in Senate Journal, March 26, page 661.) 55
56
Amendment No. 3(L.013), by Senator Linkhart. 57
58
Amend the Appropriations Committee Report, as printed in Senate Journal, dated March 26, page 661, after line 30, insert the following: 59
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"Page 1 of the printed bill, line 102, strike "**ELIGIBILITY**"; 61
62
line 103, strike the first "**AND**".". 63
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As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 66
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68
- SB01-109** by Senators Hagedorn and Hernandez; also Representative Romanoff--Concerning motor vehicle insurance, and, in connection therewith, continuing the motorist insurance identification database program and the "Colorado Auto Accident Reparations Act". 69
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72
Laid over until Thursday, March 29, 2001, retaining its place on the calendar. 73

HB01-1169

by Representatives Stafford, Cloer, Smith and Snook; also Senator Linkhart--Concerning the use of county block grant moneys for the Colorado works program for the purpose of investing in community resources.

Amendment No. 1, Health, Environment, Children and Families Committee Amendment.
(Printed in Senate Journal, March 26, 2001, page 644.)

Amendment No. 2(L.006), by Senator Linkhart.

Amend the Health, Environment, Children and Families committee amendment, as printed in Senate Journal, March 26, page 644, line 47, after "PARTICIPANTS.", insert the following:

"SUCH CONTRACTING PROCEDURES SHALL INCLUDE A REQUIREMENT THAT A COUNTY'S CONTRACT WITH A PROVIDER SHALL SPECIFY THE APPROXIMATE NUMBER OF APPLICANTS OR PARTICIPANTS TO BE SERVED BY THE PROVIDER."

Amendment No. 3(L.007), by Senator Linkhart.

Amend the Health, Environment, Children and Families committee amendment, as printed in Senate Journal, March 26, page 644, line 51, strike "AS APPLICABLE,".

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 Second Reading--General Orders Calendar (**SB01-081, SB01-204, SCR01-002**) of Wednesday, March 28, 2001, was laid over until Friday, March 30, 2001, retaining its place on the Calendar.

ROLL CALL VOTE ON SB01-006

SB01-006

by Senators Dennis, Chlouber and Dyer (Durango); also Representatives Larson and Stengel--Concerning the creation of the habitat partnership program, and, in connection therewith, changing the duties of the habitat partnership council, habitat partnership committee, and director of the division of wildlife, and funding the habitat partnership cash fund.

Senator Dennis requested a roll call vote to show that **SB01-006**, as amended, did pass.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	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	E
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Reeves, 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: **SB01-105** as amended, **SB01-157, HB0-1308** as amended, **SB01-209, SB01-168** as amended, **SB01-100** as amended, **SB01-016** as amended, **SB01-006** as amended, **SB01-052** as amended, **HB01-1169** as amended.

Laid over until Thursday, March 29, 2001: **HB01-1132, SB01-127, HB01-1114, HB01-1074, SB01-109.**

Laid over until Friday, March 30, 2001: **HB01-1189, SB01-081, SB01-204, SCR01-002.**

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 **SJR01-021**.

CONSIDERATION OF RESOLUTIONS

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.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	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	E
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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 balance of the calendar of Wednesday, March 28, 2001, was laid over until Thursday, March 29, 2001, retaining its place on the calendar.

Consideration of Resolutions: **SJR01-013, SJR01-010, SR01-011**.

Consideration of Memorial: **SM01-001**.

Consideration of House Amendments to Senate Bills: **SB01-022, SB01-169, SB01-165, SB01-107, SB01-034, SB01-066, SB01-135, SB01-145, SB01-144, SB01-116**.

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

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: **SB01-003, 011, 043, 102**.

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

HB01-1364 by Representative Fairbank; also Senator Takis--Concerning the modification of statutory provisions affecting the administration of state income tax returns.

Upon request of Senator Takis, **HB01-1364** was removed from the March 29, 2001 General Orders--Second Reading of Bills Consent calendar and was placed at the end of the General Orders--Second Reading Calendar of Thursday, March 29, 2001.

LETTER OF RESIGNATION

March 27, 2001

The Honorable Stan Matsunaka
President
Colorado Senate
257 State Capitol Building
Denver, Colorado 80203

Dear President Matsunaka:

Effective midnight, Friday, March 30, 2001, I resign as Colorado state senator of Senate District 5.

Respectfully,

(signed)
Gigi Dennis

GD:mf

TRIBUTES--A POINT OF INTEREST

Honoring Paul Quade by Senators May, Phillips and Hagedorn
and Representatives Young, Bacon, Fritz and Rippy

Honoring Carolyne Hyde by Senator May

On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., Thursday, March 29, 2001.

Approved:

Stan Matsunaka
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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