

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

Forty-first Legislative Day Monday, February 19, 2001

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

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

Roll Call Present--Total, 32.
 Absent/Excused--Linkhart, Phillips, Taylor--Total 3.
 Present later--Linkhart, Taylor.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Hanna, reading of the Journal of Friday, February 16, 2001, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Services Correctly engrossed: SB01-136, 051, 125, 088, 128.
 Correctly revised: HB01-1129.

COMMITTEE OF REFERENCE REPORTS

The committees recommend the following:

Health, Environment, Children and Families After consideration on the merits, the committee recommends that **SB01-061** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

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

"SECTION 1. Article 1 of title 25, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

PART 12
 MEDICAL RECORD CONFIDENTIALITY

25-1-1201. Legislative declaration. THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT MAINTAINING THE CONFIDENTIALITY OF MEDICAL RECORDS IS OF THE UTMOST IMPORTANCE TO THE STATE AND OF CRITICAL IMPORTANCE TO PATIENT PRIVACY FOR HIGH QUALITY MEDICAL CARE. MOST PEOPLE IN THE UNITED STATES CONSIDER CONFIDENTIALITY OF HEALTH INFORMATION IMPORTANT AND WORRY THAT THE INCREASED COMPUTERIZATION OF HEALTH RECORDS MAY RESULT IN INAPPROPRIATE DISCLOSURE OF SUCH RECORDS. PATIENTS HAVE A STRONG INTEREST IN PRESERVING THE PRIVACY OF THEIR PERSONAL HEALTH INFORMATION, BUT THEY ALSO HAVE AN INTEREST IN MEDICAL RESEARCH AND OTHER EFFORTS BY HEALTH CARE ORGANIZATIONS TO IMPROVE THE MEDICAL CARE THEY RECEIVE. HOW BEST TO PRESERVE CONFIDENTIALITY WITHIN A STATE HEALTH INFORMATION INFRASTRUCTURE IS AN IMPORTANT DISCUSSION THAT IS AFFECTED BY RECENT REGULATIONS PROMULGATED BY THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO THE ELECTRONIC STORAGE OF HEALTH INFORMATION. THE PURPOSE OF THIS PART 12 IS TO INDEX THE PROVISIONS THAT GOVERN MEDICAL RECORD CONFIDENTIALITY TO FACILITATE LOCATING THE LAW CONCERNING THE CONFIDENTIALITY OF MEDICAL RECORDS AND HEALTH INFORMATION. IT IS NOT INTENDED TO EXPAND, NARROW, OR CLARIFY EXISTING PROVISIONS.

25-1-1202. Index of statutory sections regarding medical

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record confidentiality and health information. (1) STATUTORY PROVISIONS CONCERNING POLICIES, PROCEDURES, AND REFERENCES TO THE RELEASE, SHARING, AND USE OF MEDICAL RECORDS AND HEALTH INFORMATION INCLUDE THE FOLLOWING:

(a) SECTION 6-18-103, C.R.S., CONCERNING USE OF INFORMATION BY HEALTH CARE COOPERATIVES;

(b) SECTION 8-43-404, C.R.S., CONCERNING EXAMINATIONS BY A PHYSICIAN OR CHIROPRACTOR FOR THE PURPOSES OF WORKERS' COMPENSATION;

(c) SECTION 8-43-501, C.R.S., CONCERNING UTILIZATION REVIEW RELATED TO WORKERS' COMPENSATION;

(d) SECTION 8-73-108, C.R.S., CONCERNING THE AWARD OF BENEFITS FOR UNEMPLOYMENT COMPENSATION BENEFITS;

(e) SECTION 10-3-1104.7, C.R.S., CONCERNING THE CONFIDENTIALITY AND USE OF GENETIC TESTING INFORMATION;

(f) SECTION 10-16-113, C.R.S., CONCERNING THE PROCEDURES RELATED TO THE DENIAL OF HEALTH BENEFITS BY AN INSURER;

(g) SECTION 10-16-113.5, C.R.S., CONCERNING THE USE OF INDEPENDENT EXTERNAL REVIEW WHEN HEALTH BENEFITS HAVE BEEN DENIED;

(h) SECTION 10-16-423, C.R.S., CONCERNING THE CONFIDENTIALITY OF MEDICAL INFORMATION IN THE CUSTODY OF A HEALTH MAINTENANCE ORGANIZATION;

(i) SECTION 12-32-108.3, C.R.S., CONCERNING DISCIPLINARY ACTIONS AGAINST PODIATRISTS;

(j) SECTION 12-33-126, C.R.S., CONCERNING DISCIPLINARY ACTIONS AGAINST CHIROPRACTORS;

(k) SECTION 12-35-118, C.R.S., CONCERNING DISCIPLINARY ACTIONS AGAINST DENTISTS AND DENTAL HYGIENISTS;

(l) SECTION 12-36-118, C.R.S., CONCERNING DISCIPLINARY ACTIONS AGAINST PHYSICIANS;

(m) SECTION 12-36-135 (1), C.R.S., CONCERNING REPORTING REQUIREMENTS FOR PHYSICIANS PERTAINING TO CERTAIN INJURIES;

(n) SECTION 12-36.5-104, C.R.S., CONCERNING PROFESSIONAL REVIEW COMMITTEES FOR PHYSICIANS;

(o) SECTION 12-36.5-104.4, C.R.S., CONCERNING HOSPITAL PROFESSIONAL REVIEW COMMITTEES;

(p) SECTION 12-37.5-104, C.R.S., CONCERNING REPORTING REQUIREMENTS BY PHYSICIANS RELATED TO ABORTIONS FOR MINORS;

(q) SECTION 12-38-116.5, C.R.S., CONCERNING DISCIPLINARY PROCEEDINGS AGAINST A PRACTICAL NURSE, A PROFESSIONAL NURSE, OR A PSYCHIATRIC TECHNICIAN;

(r) SECTION 12-43-218, C.R.S., CONCERNING THE DISCLOSURE OF CONFIDENTIAL COMMUNICATIONS BY A MENTAL HEALTH PROFESSIONAL;

(s) SECTION 12-43-224 (4), C.R.S., CONCERNING DISCIPLINARY PROCEEDINGS AGAINST A MENTAL HEALTH PROFESSIONAL;

(t) SECTION 13-21-110, C.R.S., CONCERNING CONFIDENTIALITY OF INFORMATION, DATA, REPORTS, OR RECORDS OF A UTILIZATION REVIEW COMMITTEE OF A HOSPITAL OR OTHER HEALTH CARE FACILITY;

(u) SECTION 13-21-117, C.R.S., CONCERNING CIVIL LIABILITY OF

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A MENTAL HEALTH PROFESSIONAL, MENTAL HEALTH HOSPITAL, COMMUNITY MENTAL HEALTH CENTER, OR CLINIC RELATED TO A DUTY TO WARN OR PROTECT;

(v) SECTIONS 13-22-101 TO 13-22-106, C.R.S., CONCERNING THE AGE OF COMPETENCE FOR CERTAIN MEDICAL PROCEDURES;

(w) SECTION 13-64-502, C.R.S., CONCERNING CIVIL LIABILITY RELATED TO GENETIC COUNSELING AND SCREENING AND PRENATAL CARE, OR ARISING FROM OR DURING THE COURSE OF LABOR AND DELIVERY, OR THE PERIOD OF POSTNATAL CARE IN A HEALTH INSTITUTION;

(x) SECTION 13-80-103.7, C.R.S., CONCERNING A LIMITED WAIVER OF MEDICAL INFORMATION IN CIVIL ACTIONS RELATED TO SEXUAL ASSAULT OR SEXUAL OFFENSES AGAINST A CHILD;

(y) SECTION 13-90-107 (1) (d), C.R.S., CONCERNING WHEN A PHYSICIAN, SURGEON, OR REGISTERED PROFESSIONAL NURSE MAY TESTIFY RELATED TO THE CARE AND TREATMENT OF A PERSON;

(z) SECTION 14-10-124, C.R.S., CONCERNING THE BEST INTERESTS OF A CHILD FOR THE PURPOSES OF A SEPARATION OR DISSOLUTION OF MARRIAGE;

(aa) SECTION 14-10-127, C.R.S., CONCERNING THE ALLOCATION OF PARENTAL RESPONSIBILITIES WITH RESPECT TO A CHILD;

(bb) SECTION 17-27.1-101 (4), C.R.S., CONCERNING NONGOVERNMENTAL FACILITIES FOR OFFENDERS AND THE WAIVER OF CONFIDENTIAL INFORMATION;

(cc) SECTION 18-3-203 (1) (f.5), C.R.S., CONCERNING ASSAULT IN THE SECOND DEGREE AND THE AVAILABILITY OF MEDICAL TESTING FOR CERTAIN CIRCUMSTANCES;

(dd) SECTIONS 18-6-101 TO 18-6-104 C.R.S., CONCERNING A JUSTIFIED MEDICAL TERMINATION OF PREGNANCY;

(ee) SECTION 18-4-412, C.R.S., CONCERNING THEFT OF MEDICAL RECORDS OR MEDICAL INFORMATION;

(ff) SECTION 18-18-503, C.R.S., CONCERNING COOPERATIVE AGREEMENTS TO CONTROL SUBSTANCE ABUSE;

(gg) SECTION 19-3-304, C.R.S., CONCERNING PERSONS REQUIRED TO REPORT CHILD ABUSE OR NEGLECT;

(hh) SECTION 19-3-305, C.R.S., CONCERNING POSTMORTEM INVESTIGATION RELATED TO THE DEATH OF A CHILD;

(ii) SECTION 19-5-306, C.R.S., CONCERNING EVIDENCE OF ABUSE OR NEGLECT OF A CHILD;

(jj) SECTION 19-5-103 (2), C.R.S., CONCERNING RELINQUISHMENT OF RIGHTS CONCERNING A CHILD;

(kk) SECTION 19-5-305, C.R.S., CONCERNING ACCESS TO ADOPTION RECORDS;

(ll) SECTION 22-1-123 (5), C.R.S., CONCERNING THE PROTECTION OF STUDENT DATA;

(mm) SECTIONS 22-32-109.1 (6) AND 22-32-109.3 (2), C.R.S., CONCERNING SPECIFIC POWERS AND DUTIES OF THE STATE BOARD OF EDUCATION;

(nn) SECTION 22-64-216, C.R.S., CONCERNING CONFIDENTIALITY OF RECORDS MAINTAINED BY SCHOOL DISTRICT RETIREMENT PLANS;

(oo) SECTION 24-51-213, C.R.S., CONCERNING CONFIDENTIALITY OF RECORDS MAINTAINED BY THE PUBLIC EMPLOYEES' RETIREMENT

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ASSOCIATION;

(pp) SECTION 24-72-204 (3), C.R.S., CONCERNING PUBLIC RECORDS NOT OPEN TO PUBLIC INSPECTION;

(qq) SECTION 25-1-122, CONCERNING REPORTING OF CERTAIN DISEASES AND CONDITIONS FOR INVESTIGATION OF EPIDEMIC AND COMMUNICABLE DISEASES, MORBIDITY AND MORTALITY, CANCER IN CONNECTION WITH THE STATEWIDE CANCER REGISTRY, ENVIRONMENTAL AND CHRONIC DISEASES, VENEREAL DISEASES, TUBERCULOSIS, AND RABIES AND MAMMAL BITES BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

(rr) SECTION 25-1-124 (2), CONCERNING HEALTH CARE FACILITIES AND REPORTING REQUIREMENTS;

(ss) SECTIONS 25-1-309 AND 25-1-312, CONCERNING THE TREATMENT OF INTOXICATED PERSONS;

(tt) SECTION 25-1-801, CONCERNING PATIENT RECORDS IN THE CARE OF A HEALTH CARE FACILITY;

(uu) SECTION 25-1-802, CONCERNING PATIENT RECORDS IN THE CARE OF INDIVIDUAL HEALTH CARE PROVIDERS;

(vv) SECTIONS 25-1-1105 AND 25-1-1108, CONCERNING THE TREATMENT OF DRUG ABUSERS;

(ww) SECTION 25-2-120, CONCERNING REPORTS OF ELECTROCONVULSIVE TREATMENT;

(xx) SECTION 25-3-109, CONCERNING QUALITY MANAGEMENT FUNCTIONS OF HEALTH CARE FACILITIES LICENSED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

(yy) SECTION 25-3.5-501, CONCERNING RECORDS MAINTAINED BY AMBULANCE SERVICES AND EMERGENCY MEDICAL TECHNICIANS;

(zz) SECTION 25-3.5-704 (2) (d) AND (2) (f), CONCERNING THE DESIGNATION OF EMERGENCY MEDICAL FACILITIES AND THE STATEWIDE TRAUMA SYSTEM;

(aaa) SECTION 25-4-402 (4), CONCERNING THE REPORTING OF VENEREAL DISEASES;

(bbb) SECTION 25-4-1003 CONCERNING NEWBORN SCREENING PROGRAMS AND GENETIC COUNSELING;

(ccc) SECTIONS 25-4-1402 TO 25-4-1407 CONCERNING REPORTING AND INVESTIGATION OF THE HUMAN IMMUNODEFICIENCY VIRUS;

(ddd) SECTION 25-4-1705 CONCERNING IMMUNIZATION INFORMATION;

(eee) SECTION 25-4-1905 CONCERNING RECORDS COLLECTED RELATED TO GULF WAR SYNDROME;

(fff) SECTION 25.5-2-104, C.R.S., CONCERNING THE RELEASE OF MEDICAL INFORMATION TO A POISON CONTROL SERVICE PROVIDER;

(ggg) SECTION 26-3.1-102 (2), C.R.S., CONCERNING REPORTING REQUIREMENTS RELATED TO AT-RISK ADULTS;

(hhh) SECTION 26-11.5-108, C.R.S., CONCERNING THE LONG-TERM OMBUDSMAN PROGRAM AND ACCESS TO MEDICAL RECORDS;

(iii) SECTION 27-10-103 (2), C.R.S., CONCERNING VOLUNTARY APPLICATIONS FOR MENTAL HEALTH SERVICES;

(jjj) SECTIONS 27-10-120 (1.5) AND 27-10-120.5, C.R.S., CONCERNING RECORDS RELATED TO MENTAL HEALTH SERVICES FOR MINOR

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CHILDREN;

(kkk) SECTION 30-10-606 (6), C.R.S., CONCERNING POSTMORTEM INVESTIGATIONS AND RECORDS;

(lll) SECTION 35-9-109, C.R.S., CONCERNING CONFIDENTIALITY OF INFORMATION RELEASED TO THE COMMISSIONER OF AGRICULTURE RELATED TO HUMAN EXPOSURE TO PESTICIDE APPLICATIONS; AND

(mmm) SECTION 42-2-112, C.R.S., CONCERNING INFORMATION SUPPLIED TO THE DEPARTMENT OF REVENUE FOR THE PURPOSE OF RENEWING OR OBTAINING A LICENSE TO OPERATE A MOTOR VEHICLE.

25-1-1203. Electronic storage of medical records. HEALTH PLANS, HEALTH CARE CLEARINGHOUSES, AND HEALTH CARE PROVIDERS SHALL DEVELOP POLICIES, PROCEDURES, AND SYSTEMS TO COMPLY WITH FEDERAL REGULATIONS PROMULGATED BY THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO ELECTRONIC STORAGE AND MAINTENANCE OF MEDICAL RECORD INFORMATION PURSUANT TO FEDERAL LAW.

SECTION 2. 26-15-107, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

26-15-107. Colorado health care task force - legislative declaration - creation - duties - repeal. (3.5) NOTWITHSTANDING ANY PROVISION TO THE CONTRARY, THE COLORADO HEALTH CARE TASK FORCE, THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, THE OFFICE OF THE GOVERNOR, AND ANY OTHER STATE AGENCY OR DEPARTMENT AFFECTED BY MEDICAL RECORD OR MEDICAL INFORMATION CONFIDENTIALITY SHALL COORDINATE EFFORTS, TO THE GREATEST EXTENT POSSIBLE, TO DEVELOP POLICIES TO ENSURE THE CONFIDENTIALITY OF MEDICAL AND PATIENT RECORDS.

SECTION 3. 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."

Page 1, strike lines 102 through 104 and substitute the following:

"INFORMATION."

Health,
Environment,
Children
and Families

After consideration on the merits, the committee recommends that **SB01-143** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, strike lines 12 and 13, and substitute the following:

"(b) DOES NOT RECEIVE MEDICAL ASSISTANCE UNDER THE "COLORADO MEDICAL ASSISTANCE ACT" OR DOES NOT RECEIVE A SUBSIDY OR ASSISTANCE FROM ANY OTHER PRESCRIPTION DRUG SUBSIDY PROGRAM;"

line 21, strike "(a)";

strike lines 23 through 27, and substitute the following:

"DETERMINED BY THE BOARD OF TRUSTEES OF THE PRESCRIPTION DRUGS FOR SENIOR CITIZENS TRUST FUND CREATED BY SECTION 25-1-128 (1)."

Page 4, strike lines 1 through 9.

Page 6, after line 13, insert the following:

"(d) ON OR BEFORE JANUARY 1, 2002, PREPARE A BUDGET WHICH ESTIMATES THE COSTS AND EXPENSES ASSOCIATED WITH THE IMPLEMENTATION OF THE PRESCRIPTION DRUGS FOR SENIOR CITIZENS TRUST FUND, AND THE FORMATION AND ACTIVITIES OF ITS BOARD OF

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SB01-143

TRUSTEES."

Page 7, line 4, after "INDUSTRY." insert the following:

"ONE MEMBER SHALL BE AN "ELIGIBLE SENIOR CITIZEN" AS DEFINED IN SECTION 25-1-126 (2)."

Page 8, strike lines 20 through 24 and substitute the following:

"(2) (a) UNLESS OTHERWISE PROHIBITED BY LAW, COSTS ASSOCIATED WITH THE TRUST FUND AND THE ACTIVITIES OF ITS BOARD OF TRUSTEES SHALL BE FULLY DEFRAYED BY MONETARY OR IN-KIND CONTRIBUTIONS FROM STATE, FEDERAL, AND PRIVATE ENTITIES, AND OTHER SOURCES. THE DEPARTMENT IS AUTHORIZED TO, AND SHALL ACCEPT, SUCH CONTRIBUTIONS. ALL SUCH CONTRIBUTIONS SHALL BE CREDITED TO THE TRUST FUND. NO COSTS ASSOCIATED WITH THE TRUST FUND AND THE ACTIVITIES OF ITS BOARD OF TRUSTEES SHALL BE PAID FROM THE GENERAL FUND OF THE STATE. THE TRUST FUND SHALL NOT BE IMPLEMENTED AND THE BOARD OF TRUSTEES OF THE PRESCRIPTION DRUGS FOR SENIOR CITIZENS TRUST FUND SHALL NOT MEET, AND ITS ACTIVITIES NOT BE PAID UNTIL THE DEPARTMENT CERTIFIES THAT SUFFICIENT CONTRIBUTIONS HAVE BEEN RECEIVED TO PAY THE FULL AMOUNT OF THE ESTIMATED COSTS AND EXPENSES SET FORTH IN THE BUDGET PREPARED BY THE DEPARTMENT PURSUANT TO SECTION 25-1-126 (8) (d)."

Health,
Environment,
Children
and Families

After consideration on the merits, the committee recommends that **SB01-066** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 3, strike "MEMBER AND THE COUNTY OF" and substitute "MEMBER;"

strike line 4;

line 6, strike "MEMBER AND THE CITY OF" and substitute "MEMBER; and";

strike line 7;

strike lines 16 through 18.

Reletter succeeding paragraph accordingly.

Page 3, line 19, strike "FIVE" and substitute "SEVEN";

line 21, after "CITIZENS," insert "THE CITY AND COUNTY OF DENVER,";

line 22, after "RESERVOIR.", insert "A MINIMUM OF TWO OF THESE APPOINTEES SHALL BE FROM THE CITY AND COUNTY OF DENVER.".

Page 4, line 16, strike "amended" and substitute "amended, and the said 25-8.5-107 is further amended BY THE ADDITION OF A NEW SUBSECTION,".

Page 5, after line 7, insert the following:

"(5) NOTWITHSTANDING SUBSECTION (2) OF THIS SECTION, ANY VOTE REGARDING A CHANGE IN THE LEVY AND COLLECTION OF AD VALOREM TAXES PURSUANT TO SECTION 25-8.5-111 (1) (p) (I) SHALL BE LIMITED TO AUTHORITY MEMBERS REPRESENTING MUNICIPALITIES OR COUNTIES WITHIN THE AUTHORITY'S BOUNDARIES.";

line 8, strike "(1) (n), and (1)" and substitute "and (1) (n).";

line 9, strike "(o).";

line 17, strike "STANDARDS;" and substitute "STANDARDS. IN PARTICULAR, THE AUTHORITY SHALL SUBMIT, WITHIN ONE YEAR AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH (a), AS AMENDED, A PLAN TO THE WATER QUALITY CONTROL COMMISSION THAT IS INTENDED TO MEET STATE

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SB01-066

WATER QUALITY STANDARDS. IF THE AUTHORITY FAILS TO SUBMIT THE PLAN OR IF THE PLAN IS UNACCEPTABLE TO THE WATER QUALITY CONTROL COMMISSION, THEN THE AUTHORITY'S PLANNING POWERS PURSUANT TO THIS PARAGRAPH (a) SHALL TERMINATE AND SHALL BE ASSUMED BY THE APPROPRIATE REPRESENTATIVE ORGANIZATION UNDER SECTION 208 OF THE "FEDERAL WATER POLLUTION CONTROL ACT", 33 U.S.C. SEC. 1288.";

strike line 27 and substitute the following:

"authority; except that the total annual ~~budgeted~~ REVENUE COLLECTED FROM SAID rates, tolls, fees, and".

Page 6, strike lines 1 and 2 and substitute the following:

"charges, ~~for property owners~~ LESS THE COST OF SAID FUNCTIONS, SERVICES, FACILITIES, AND PROGRAMS, shall not exceed thirty percent of the annual authority budget. ~~and shall not exceed the total annual budgeted fees to be~~";

strike lines 4 through 10;

line 16, strike "PROPOSE TO THE COMMISSION ANY" and substitute "EXPEND FUNDS IN SUPPORT OF ANY PROPOSED";

line 18, strike "THE" and substitute "ANY PROPOSED".

Health,
Environment,
Children
and Families

After consideration on the merits, the committee recommends that **SB01-063** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, line 10, after "PERSONS", insert "FOR BREAST AND CERVICAL CANCER TREATMENT".

Page 5, strike lines 4 and 5 and substitute the following:

"PREVENTION AND TREATMENT ACT OF 2000" ENACTED OCTOBER 24, 2000, P.L. 106-354, AS AMENDED;"

strike lines 17 through 23 and substitute the following:

"(7) (a) THE STATE DEPARTMENT MAY SEEK FROM THE APPROPRIATE FEDERAL AUTHORITIES OR AGENCIES ANY WAIVERS NECESSARY TO ALLOW FOR THE LIMITATION OF THE PROVISION OF SERVICES PURSUANT TO THE FEDERAL "BREAST AND CERVICAL CANCER PREVENTION AND TREATMENT ACT OF 2000" ENACTED OCTOBER 24, 2000, P.L. 106-354, AS AMENDED. THE STATE SHALL WORK WITHIN ITS EXISTING BUDGET AND STAFF AND SHALL SEEK COOPERATION FROM THE NATIONAL CONFERENCE OF STATE LEGISLATURES OR ANY OTHER APPROPRIATE NATIONAL ORGANIZATION WHEN APPLYING FOR ANY SUCH WAIVERS.

(b) IF THE NECESSARY WAIVERS ARE GRANTED BY THE APPROPRIATE FEDERAL AUTHORITIES OR AGENCIES, THE STATE DEPARTMENT SHALL APPLY FOR GRANTS OR AWARDS OF MONEYS FROM ANY APPROPRIATE FEDERAL, STATE, AND PRIVATE SOURCES, AND SHALL SEEK REIMBURSEMENT FOR THE ADMINISTRATIVE COSTS OF THE APPLICATION PROCESS FROM ANY MONEYS RECEIVED AS A RESULT OF SUCH PROCESS."

Page 6, line 4, after "SECTION.", insert "NO MONEYS CREDITED TO THE TRUST FUND SHALL BE TRANSFERRED TO OR REVERT TO THE GENERAL FUND OF THE STATE AT THE END OF ANY FISCAL YEAR.";

line 5, after "FUND", insert "AND FIFTY PERCENT OF ALL MONEYS CREDITED TO THE TRUST FUND IN EACH FISCAL YEAR";

strike line 6 and substitute the following:

"AND SHALL BE USED FOR THE PURPOSE OF";

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line 9, strike "MONEYS CREDITED TO THE TRUST FUND" and substitute "INTEREST AND INCOME EARNED ON THE MONEYS IN THE TRUST FUND AND FIFTY PERCENT OF ALL MONEYS CREDITED TO THE TRUST FUND IN EACH FISCAL YEAR";

strike lines 11 and 12 and substitute the following:

"OF THIS SECTION. ON OR BEFORE JANUARY 1 OF EACH YEAR THE STATE DEPARTMENT SHALL CERTIFY TO THE GENERAL ASSEMBLY THE AMOUNT OF THE INTEREST AND INCOME EARNED ON THE MONEYS IN THE TRUST FUND FOR THE PRECEDING FISCAL YEAR.";

strike line 25 and substitute the following:

"ENACTED OCTOBER 24, 2000, P.L. 106-354, AS AMENDED. THE FUND".

Health,
Environment,
Children
and Families

After consideration on the merits, the committee recommends that **SB01-019** be postponed indefinitely.

Health,
Environment,
Children
and Families

After consideration on the merits, the committee recommends that **SB01-173** be postponed indefinitely.

Public
Policy and
Planning

After consideration on the merits, the committee recommends that **SB01-144** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 17, after the period, add "FOR PURPOSES OF THIS PARAGRAPH (e), "RENEWABLE ENERGY" HAS THE MEANING PROVIDED IN SECTION 40-1-102 (6), C.R.S.".

Page 4, line 22, strike "EIGHTY" and substitute "EIGHTY-THREE".

Public
Policy and
Planning

After consideration on the merits, the committee recommends that **SB01-155** be referred favorably to the Committee of the Whole and be placed on the consent calendar.

Public
Policy and
Planning

After consideration on the merits, the committee recommends that **SB01-127** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, strike lines 14 through 16 and substitute the following:

"INSURANCE.".

Page 3, strike lines 8 through 27.

Page 4, strike lines 1 through 23.

Renumber succeeding subsections accordingly.

Page 5, line 10, strike "(7)" and substitute "(6)".

Page 6, strike lines 19 through 27.

Strike page 7.

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SB01-127

Renumber succeeding C.R.S. sections accordingly. 1
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Page 8, strike lines 12 through 16 and substitute the following: 4
5
"DEPOSITORY, AND THE AMOUNT OF SUCH DEPOSITORY'S CAPITAL FUNDS." 6
7
Page 9, strike lines 2 through 4. 8
9
Renumber succeeding subsections accordingly. 10
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Page 9, strike lines 12 through 24. 12
13
Renumber succeeding subsection accordingly. 14
15
Page 10, line 9, strike "SHALL:" and substitute "SHALL, WITHIN TWENTY 16
DAYS:"; 17
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strike lines 10 through 13; 19
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line 14, strike "(I)" and substitute "(a)"; 21
22
strike lines 17 and 18; 23
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line 19, strike "(III)" and substitute "(b)"; 25
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strike lines 20 and 21 and substitute the following: 27
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"AMOUNT OF ITS DEPOSIT, AS SO DISCLOSED;"; 29
30
line 22, strike "(IV)" and substitute "(c)". 31
32
Reletter succeeding paragraphs accordingly. 33
34
Page 10, line 25, after the semicolon, add "AND"; 35
36
Page 11, line 3, strike "UNITS;" and substitute "UNITS."; 37
38
strike lines 4 through 7; 39
40
line 22, strike "STATE," and substitute "STATE"; 41
42
strike line 23; 43
44
line 24, strike "AN ELIGIBLE PUBLIC DEPOSITORY,". 45
46
Page 13, line 4, strike "(1)"; 47
48
line 8, strike "UNIT:" and substitute "UNIT PURSUANT TO THIS ARTICLE AND 49
TO THE EXTENT THAT THE FULL AMOUNT THEREOF IS INSURED BY 50
APPROVED INSURANCE."; 51
52
strike lines 9 through 13. 53
54
Page 14, line 8, after "(1)", insert "(a)"; 55
56
line 12, strike "OR CREDIT"; 57
58
strike line 13 and substitute the following: 59
60
"ELIGIBLE PUBLIC DEPOSITORY, AS DEFINED IN SECTION 11-31-103 (5), 61
C.R.S., life insurance contracts,"; 62
63
after line 21, insert the following: 64
65
"(b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (1), 66
IT SHALL BE UNLAWFUL FOR THE COMMITTEE TO DEPOSIT ANY FUNDS IN AN 67
ELIGIBLE PUBLIC DEPOSITORY."; 68
69
line 24, after "(1)", insert "(a)"; 70
71
Page 15, after line 16, insert the following: 72

SB01-127

"(b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (1), IT SHALL BE UNLAWFUL FOR THE STATE OF COLORADO, OR ANY OF ITS INSTITUTIONS, DEPARTMENTS, OR AGENCIES, TO DEPOSIT ANY FUNDS IN A CREDIT UNION."

Page 19, line 14, after "secured", insert "OR INSURED";

line 19, strike "CREDIT UNION" and substitute "ELIGIBLE PUBLIC DEPOSITORY AS DEFINED IN SECTION 11-31-103 (5), C.R.S."

Page 20, line 9, after "secured", insert "OR INSURED".

Public Policy and Planning

After consideration on the merits, the committee recommends that **SB01-026** be postponed indefinitely.

Public Policy and Planning

After consideration on the merits, the committee recommends that **SB01-166** be postponed indefinitely.

Public Policy and Planning

After consideration on the merits, the committee recommends that **SB01-134** be referred favorably to the Committee on Appropriations.

Public Policy and Planning

After consideration on the merits, the committee recommends that **SB01-145** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 8, line 13, after "DETERMINED", insert "BY THE RELEVANT REGULATORY AGENCY".

Page 11, line 1, strike "ZONING," and substitute "ORDINANCE OR RESOLUTION,";

line 4, strike "ZONING".

Public Policy and Planning

The committee returns herewith **SB01-147** and reports that said bill has been considered on its merits and voted upon by the committee in accordance with Senate Rules, that the deadline applicable to committees under Joint Rule 23 (a)(1) has passed, that final action has not been taken by this committee within said deadline, and that the Committee on Delayed Bills had not waived said deadline. Pursuant to Joint Rule 23 (a)(3)(A), said bill is deemed to be postponed indefinitely.

Education

After consideration on the merits, the committee recommends that **SB01-120** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike lines 9 through 16 and substitute the following:

"SECTION 2. 22-28-105 (2) (e.9), Colorado Revised Statutes, is amended to read:

22-28-105. District preschool program council - duties.
(2) The district council shall:

(e.9) Define any ~~additional~~ student eligibility criteria specific to the population of the individual community THAT IS IN ADDITION TO THE CRITERIA LISTED IN SECTION 22-28-106 (1) (a);

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SB01-120

SECTION 3. 22-28-106, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

22-28-106. Eligibility of children for participation in district program. (1) (a.5) FOR PURPOSES OF THIS ARTICLE, "SIGNIFICANT FAMILY RISK FACTORS" MEANS ANY OF THE FOLLOWING:

- (I) AN ABUSIVE ADULT RESIDING IN THE HOME OF THE CHILD;
- (II) THE PARENT OF THE CHILD WAS LESS THAN TWENTY YEARS OF AGE AT THE TIME OF THE BIRTH OF THE CHILD;
- (III) THE CHILD IS ELIGIBLE TO RECEIVE FREE OR REDUCED-COST LUNCH PURSUANT TO THE PROVISIONS OF THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ.;
- (IV) THE EDUCATIONAL LEVEL OF THE CHILD'S PARENT OR GUARDIAN;
- (V) THE CHILD'S NEED FOR LANGUAGE DEVELOPMENT;
- (VI) UNEMPLOYMENT IN THE CHILD'S FAMILY;
- (VII) FREQUENT RELOCATION BY THE CHILD'S FAMILY TO NEW RESIDENCES;
- (VIII) HOMELESSNESS OF THE CHILD'S FAMILY;
- (IX) LOW SELF-ESTEEM OF THE CHILD;
- (X) POOR SOCIAL SKILLS OF THE CHILD; OR
- (XI) DRUG OR ALCOHOL ABUSE IN THE CHILD'S FAMILY."

Renumber succeeding section accordingly.

Government, After consideration on the merits, the committee recommends that **SB01-133** be postponed indefinitely.
 Veterans and
 Military
 Relations, and
 Transportation

Government, After consideration on the merits, the committee recommends that **SB01-167** be postponed indefinitely.
 Veterans and
 Military
 Relations, and
 Transportation

Government, After consideration on the merits, the committee recommends that **SB01-151** be referred favorably to the Committee of the Whole.
 Veterans and
 Military
 Relations, and
 Transportation

Government, After consideration on the merits, the committee recommends that **SB01-141** be referred favorably to the Committee of the Whole and be placed on the consent calendar.
 Veterans and
 Military
 Relations, and
 Transportation

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Government,
Veterans and
Military
Relations, and
Transportation

After consideration on the merits, the committee recommends that **SB01-200** be amended as follows and, as so amended be referred to the Committee of Appropriations with favorable recommendation.

Amend printed bill, page 3, line 11, strike "article." and substitute "article SECTION, INCLUDING BUT NOT LIMITED TO THE COSTS INCURRED IN CONTRACTING FOR PROGRAM EVALUATION AND MONITORING PURSUANT TO SUBSECTION (4.7) OF THIS SECTION."

Page 5, after line 23, insert the following:

"(4.7) THE DIVISION SHALL CONTRACT WITH ONE OR MORE PRIVATE ENTITIES FOR PROGRAM MONITORING AND EVALUATION OF ANY VETERANS PROGRAM OPERATED BY A NONPROFIT VETERANS ORGANIZATION THAT RECEIVES FUNDING PURSUANT TO THIS SECTION."

Government,
Veterans and
Military
Relations, and
Transportation

After consideration on the merits, the committee recommends that **SB01-201** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 14, strike "2004" and substitute "2008".

Page 6, line 1, strike "2004" and substitute "2008".

Government,
Veterans and
Military
Relations, and
Transportation

After consideration on the merits, the committee recommends that **SB01-130** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike lines 9 through 19.

Page 3, strike lines 1 through 7 and substitute the following:

- "(a) The city and county of Denver is a county of the first class.
- (b) The counties of Adams, Arapahoe, Boulder, DOUGLAS, El Paso, Jefferson, Pueblo, and Weld are counties of the second class.
- (c) The counties of Delta, Garfield, Larimer, Las-Animas, Logan, Mesa, Montrose, Morgan, and Otero are counties of the third class.
- (d) The counties of Alamosa, Archuleta, Bent, Chaffee, Cheyenne, Clear Creek, Conejos, Costilla, Crowley, ~~Douglas~~, Eagle, Elbert, Fremont, Gilpin, Gunnison, Huerfano, Kit Carson, Lake, La Plata, Lincoln, Montezuma, Ouray, Park, Phillips, Prowers, Rio Grande, Routt, Saguache, San Miguel, Sedgwick, Teller, Washington, and Yuma are counties of the fourth class.
- (e) The counties of Baca, Custer, Dolores, Grand, Hinsdale, Jackson, Kiowa, Mineral, Moffat, Pitkin, Rio Blanco, San Juan, and Summit are counties of the fifth class."

MESSAGE FROM THE HOUSE

February 16, 2001

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1260.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1152, amended as printed in House Journal, February 15, pages 399-400. HB01-1246, amended as printed in House Journal, February 15, page 400.

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HB01-1168, amended as printed in House Journal, February 15, page 400.
 HB01-1215, amended as printed in House Journal, February 15, pages 400-401.
 HB01-1135, amended as printed in House Journal, February 15, pages 401-402.
 HB01-1075, amended as printed in House Journal, February 15, pages 402-404.

MESSAGE FROM THE REVISOR

We herewith transmit:

without comment, HB01-1260.

without comment, as amended, HB01-1152, 1246, 1168, 1215, 1135, and 1075.

THIRD READING OF BILLS--FINAL PASSAGE

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

SB01-136 by Senator Gordon--Concerning campaign finance.

Laid over until Tuesday, February 20, 2001, retaining its place on the calendar.

SB01-051 by Senator Tupa; also Representative Grossman--Concerning presidential electors, and, in connection therewith, specifying the selection and voting requirements of presidential electors in the state.

Laid over until Tuesday, February 20, 2001, retaining its place on the calendar.

SB01-125 by Senator Owen; also Representative Berry--Concerning regulation of foreign capital depositories under the "Colorado Foreign Capital Depository Act".

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	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	E
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	E	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, May, Perlmutter.

SB01-088 by Senators Tupa, Linkhart, Arnold, Hernandez and Nichol; also Representatives Mitchell, Alexander, Hefley and Lee--Concerning criminal history record checks on behalf of entities engaged in care for vulnerable persons.

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	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	E
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	E	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: Dyer (Arapahoe), Epps, Evans, Gordon, Perlmutter.

SB01-128

by Senator Takis; also Representative Clapp--Concerning the licensure of physician assistants.

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	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	E
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	E	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: Chlouber, Epps, Hagedorn, Hanna, Hernandez.

HB01-1129

by Representatives King, Cadman, Cloer, Fritz, Larson, Rhodes, Schultheis, Spence, and Williams T.; also Senator Dyer (Durango)--Concerning conditions of participation in extracurricular activities sponsored by school districts.

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	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	E
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	E	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: Chlouber, Epps, Matsunaka, McElhany.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS--
CONSENT CALENDAR**

Appointments On motion of Senator Thiebaut, the following Governor's appointments were confirmed by a roll call vote:

BOARD OF PARKS AND OUTDOOR RECREATION

for a term expiring June 30, 2002:

Wade A. Haerle of Grand Junction, Colorado, to fill the vacancy occasioned by the resignation of Dourglas S. Cole and to serve as an At Large member and as a Democrat, appointed;

For terms expiring June 30, 2004:

Tom W. Ready of Pueblo, Colorado, to serve as a representative of the Southern Region and as a Republican , appointed;

Douglas S. Cole of Superior, Colorado, to serve as a representative of the Metro Region and as a Republican, appointed;

The Honorable Thomas R. H. Glass of Frisco, Colorado, to serve as a representative of the Northern Region and as a Democrat, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	E
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	E	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

COAL MINE BOARD OF EXAMINERS

for terms expiring July 1, 2004:

Frank A. Self of Craig, Colorado, to serve as a Colorado coal mine owner, operator, or manager engaged in surface mining industry, reappointed;

Trent A Peterson of Marvel, Colorado, to serve as an engineer experienced in coal mining, reappointed.

Kathleen G. Welt of Hotchkiss, Colorado, to serve as a Colorado coal mine owner, operator, or manager engaged in underground mining, appointed;

Crecencio Orlando Salazar of Hayden, Colorado, to serve as a coal miner of known experience and practice in underground coal mining, appointed

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	E
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	E	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY

for terms expiring October 1, 2004:

Sara Duncan of Denver, Colorado, to serve as a member from the City and County of Denver familiar with its water problems and as a member experienced in water law and as a Democrat, reappointed;

Louis Rinaldo of Sterling, Colorado, to serve as a member from the South Platte Drainage Basin outside the City and County of Denver and as a member experienced in water project financing and as a Democrat, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	E
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	E	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

GROUND WATER COMMISSION

for a term expiring May 1, 2004:

Dennis W. Coryell of Burlington, Colorado, to serve as a resident agriculturist of the Northern High Plains ground water basin, reappointed.

Larry William Clever of Grand Junction, Colorado, to serve as a representative of municipal and industrial water users and as a member residing west of the continental divide, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	E
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	E	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

STATE BOARD OF PAROLE

for a term expiring July 1, 2003:

Larry J. Schwarz of Wetmore, Colorado, to serve as a representative of the public and as a Republican, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	E
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	E	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

JUVENILE PAROLE BOARD

for terms expiring at the pleasure of the Governor:

Arti W. Jackson of Golden, Colorado, to fill the vacancy occasioned by the resignation of David C. Pimentel and to serve as a representative of the Department of Education, appointed;

Michael Thomas Jones of Denver, Colorado, to fill the vacancy occasioned by the resignation of Michael J. McArdle and to serve as a representative of the Department of Labor and Employment, appointed.

Sheriff George E. Epp of Boulder, Colorado, to serve as a local elected official and as a Democrat, appointed.

Patricia Carol Grisanti of Denver, Colorado, to serve as a representative of the Department of Public Safety and as a Democrat, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	E
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	E	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY

effective August 15, 2000, for a term expiring at the pleasure of the Governor:

C. Suzanne Mencer of Littleton, Colorado, to replace Aristedes W. Zavaras who resigned, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	E
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	E	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

Senate in recess.

On motion of Senator Andrews and with the unanimous consent of those elected o the Senate, the Senate stood in recess to hear the remarks of former State Senator Bill Schroeder on President Abraham Lincoln in honor of Presidents Day. The text of his remarks follows:

Senate Abraham Lincoln Speech --- February 19, 2001

Abraham Lincoln our 16th President of the United States
Served from March 4, 1861 to April 15, 1865

Born: February 12, 1809, in Hardin (now Larue), Kentucky

Married: Mary Todd, on November 4, 1842

Children: Robert Todd Lincoln (1843-1926);
Edward Baker Lincoln (1846-50);
William Wallace Lincoln (1850-62);
Thomas "Tad" Lincoln (1853-71)

Religion: No formal affiliation
No formal education

Occupation: Lawyer

Other Government Positions: Elected to Illinois State Legislature, 1834
Member of U.S. House of Representatives, 1847-49

Presidential Election Results:

Year		Popular Votes	Electoral Votes
1860	Abraham Lincoln	1,865,593	180
	John C. Breckinridge	848,356	72
	(Seceders from the Dem Conv.)		
	John Bell	592,906	39
1864	(Constitutional Union Party)		
	Stephen A. Douglas (D)	1,382,713	12
	Abraham Lincoln	2,206,938	212
	George B. McClellan (D)	1,803,787	21
	(Votes Not Cast)		81

Presidential Salary: \$25,000/year

Many are expressing thoughts that today we would have difficulty determine which party Lincoln would belong to, Republican or Democrat. He always fought the extremist on both sides. Today, I think he would be considered a moderate in the eyes of the far left and right.

He hated slavery, but would have tolerated it. He would have continued to chip away at it, if there hadn't been the war. The nation was his highest consideration and I think you'll hear those thoughts in the following messages.

On November 19, 1863, President Lincoln and Edward Everett, one of the most famous speakers of the times, were invited to the dedication of the battle site of Gettysburg as a soldiers' cemetery.

Lincoln had little time to prepare his comments and actually recopied them that morning. They were "Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created

equal.

Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battle-field of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives that the nation might live. It is altogether fitting and proper that we should do this.

But, in a larger sense, we can not dedicate -- we can not consecrate -- we can not hallow -- this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The WORLD WILL LITTLE NOTE, NOR LONG REMEMBER what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us -- that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion -- that we here highly resolve that these dead shall not have died in vain -- that this nation, under God, shall have a new birth of freedom -- and that government of the people, by the people, for the people, shall not perish from the earth."

Everett had this to say about Lincoln's speech. "I wish that I could flatter myself that I had come as near to the central idea of the occasion in two hours as you did in two minutes."

On March 4, 1865 Lincoln gave his Second Inaugural Address and these comments are considered some of the most remarkable in American history.

The London Spectator said, "We cannot read it without a renewed conviction that it is the noblest political document known to history, and should have for the nation and the statesmen he left behind him something of a sacred and almost prophetic character."

Journalist Noah Brooks, an eyewitness to the speech, said that as Lincoln advanced from his seat, "a roar of applause shook the air, and, again and again repeated, finally died away on the outer fringe of the throng, like a sweeping wave upon the shore. Just at that moment the sun, which had been obscured all day, burst forth in its unclouded meridian splendor, and flooded the spectacle with glory and with light." Brooks said Lincoln later told him, "Did you notice that sunburst? It made my heart jump."

According to Brooks, the audience received the speech in "profound silence," although some passages provoked cheers and applause. "Looking down into the faces of the people, illuminated by the bright rays of the sun, one could see moist eyes and even tearful faces."

Brooks further commented that "Lincoln was poised with the brilliant sun burst illuminating his tall, pathetic, melancholy figure and that he was already standing in the shadow of death."

Lincoln began:

"At this second appearing to take the oath of the presidential office, there is less occasion for an extended address than there was at the first. Then a statement, somewhat in detail, of a course to be pursued, seemed fitting and proper. Now, at the expiration of four years, during which public declarations have been constantly called forth on every point and phase of the great contest which still absorbs the attention, and engrosses the energies of the nation, little that is new could be presented. The progress of our arms, upon which all else chiefly depends, is as well known to the public as to myself; and it is, I trust, reasonably satisfactory and encouraging to all. With high hope for the future, no prediction in regard to it is ventured.

On the occasion corresponding to this four years ago, all thoughts were anxiously directed to an impending civil war. All dreaded it--all sought to avert it. While the inaugural address was being delivered from this place, devoted altogether to saving the Union without war, insurgent agents were in the city seeking to destroy it without war--seeking to dissolve the Union, and divide effects, by negotiation. Both parties deprecated war; but one of them would make war rather than let the nation survive; and the other would accept war rather than let it perish. And the war came.

One eighth of the whole population were colored slaves, not distributed generally over the Union, but localized in the Southern part of it. These slaves constituted a peculiar and powerful interest. All knew that this interest was, somehow, the cause of the war. To strengthen, perpetuate, and extend this interest was the object for which the insurgents would rend the Union, even by war; while the government claimed no right to do more than to restrict the territorial enlargement of it. Neither party expected for the war, the magnitude, or the duration, which it has already attained. Neither anticipated that the cause

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of the conflict might cease with, or even before, the conflict itself should cease. Each looked for an easier triumph, and a result less fundamental and astounding.

Both read the same Bible, and pray to the same God; and each invokes his aid against the other. It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces; but let us judge not that we be not judged. The prayers of both could not be answered; that of neither has been answered fully. The Almighty has his own purposes. "Woe unto the world because of offenses! For it must needs be that offenses come; but woe to that man by whom the offense cometh!" If we shall suppose that American Slavery is one of those offenses which, in the providence of God, must needs come, but which, having continued through his appointed time, he now wills to remove, and that he gives to both North and South, this terrible war, as the woe due to those by whom the offense came, shall we discern therein any departure from those divine attributes which the believers in a Living God always ascribe to Him?

Fondly do we hope--ferverently do we pray--that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue, until all the wealth piled by the bond-man's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash, shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said "the judgments of the Lord, are true and righteous altogether.

With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan--to do all which may achieve and cherish a just and lasting peace, among ourselves, and with all nations."

Then on April 11, 1865 Lincoln made his last public address.

Two days after Lee surrendered to Grant, a jubilant crowd gathered at the White House, calling for President Lincoln.

Reporter Noah Brooks said, "Outside was a vast sea of faces, illuminated by the lights that burned in the festal array of the White House, and stretching far out into the misty darkness. It was a silent, intent, and perhaps surprised, multitude.

"Within stood the tall, gaunt figure of the President, deeply thoughtful, intent upon the elucidation of the generous policy which should be pursued toward the South. That this was not the sort of speech which the multitude had expected is tolerably certain."

Brooks held a light so Lincoln could read his speech, while young Tad Lincoln grasped the pages as they fluttered to his feet. The speech tackled the thorny topic of reconstruction, especially as it related to the state of Louisiana. And for the first time, Lincoln publicly expressed his support for black suffrage. This statement incensed John Wilkes Booth, a member of the audience, who vowed, "That is the last speech he will make." A white supremacist and Confederate sympathizer, Booth made good on his threat three days later.

Abraham Lincoln died April 15, 1865

Senate Reconvened.

On motion of Senator Thiebaut, and with the unanimous consent of those elected to the Senate, the remarks of former State Senator Bill Schroeder were ordered spread upon the pages of the journal.

Committee
of the
Whole

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

SB01-013

by Senators Evans and Epps; also Representatives Johnson, Alexander and Tochtrop--
Concerning procedures related to foster care.

SB01-013 Amendment No. 1, Health, Environment, Children and Families Committee Amendment.
(Printed in Senate Journal, February 9, 2001, page 242.)

Amendment No. 2, Senator Evans.

Amend the Health, Environment, Children and Families Committee amendment, as printed in Senate Journal, February 9, page 242, strike lines 56 through 58 and substitute the following:

"Amend printed bill, page 5, line 2, strike "C.R.S." and substitute "C.R.S.:";

before line 3, insert the following:

"(z) ANY OFFICER, EXECUTIVE, ADMINISTRATOR, DIRECTOR, EMPLOYEE, OR AFFILIATE, AS THAT TERM IS DEFINED IN SECTION 26-6-102 (1), C.R.S., OF A RESIDENTIAL CHILD CARE FACILITY LICENSED PURSUANT TO PART 1 OF ARTICLE 6 OF TITLE 26, C.R.S.;

(aa) ANY OFFICER, EXECUTIVE, ADMINISTRATOR, DIRECTOR, EMPLOYEE, OR AFFILIATE, AS THAT TERM IS DEFINED IN SECTION 26-6-102 (1), C.R.S., OF A SPECIALIZED GROUP FACILITY LICENSED PURSUANT TO PART 1 OF ARTICLE 6 OF TITLE 26, C.R.S.;

(bb) ANY OFFICER, EXECUTIVE, ADMINISTRATOR, DIRECTOR, EMPLOYEE, OR AFFILIATE, AS THAT TERM IS DEFINED IN SECTION 26-6-102 (1), C.R.S., OF A SECURE RESIDENTIAL TREATMENT CENTER LICENSED PURSUANT TO PART 1 OF ARTICLE 6 OF TITLE 26, C.R.S.;

(cc) ANY OFFICER, EXECUTIVE, ADMINISTRATOR, DIRECTOR, EMPLOYEE, OR AFFILIATE, AS THAT TERM IS DEFINED IN SECTION 26-6-102 (1), C.R.S., OF A DAY TREATMENT CENTER LICENSED PURSUANT TO PART 1 OF ARTICLE 6 OF TITLE 26, C.R.S."."

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

SB01-109 by Senators Hagedorn and Hernandez--Concerning motor vehicle insurance, and, in connection therewith, continuing the motorist insurance identification database program and the "Colorado Auto Accident Reparations Act".

On motion of Senator Hagedorn, **SB01-109** was referred to the Committee on Appropriations.

SB01-114 by Senators Hernandez and Hagedorn; also Representative Berry--Concerning income eligibility requirements of the AIDS drug assistance program.

Amendment No. 1, Senator Hernandez.

Amend printed bill, page 2, strike lines 2 and 3 and insert the following:

"**SECTION 1.** 25-4-1411 (3), Colorado Revised Statutes, is amended, and the said 25-4-1411 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:"

after line 16, insert the following:

"(5) IF AT ANY TIME THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, IN CONSULTATION WITH THE SUBCOMMITTEE OF THE ADVISORY GROUP ON AIDS POLICY ESTABLISHED IN SUBSECTION (4) OF THIS SECTION, DETERMINES THAT THE AIDS DRUG ASSISTANCE PROGRAM IS REACHING THE PROGRAM'S FISCAL LIMITATIONS, THE DEPARTMENT, IN CONSULTATION WITH THE SUBCOMMITTEE, SHALL IMPLEMENT A POLICY OF GIVING PREFERENCE TO APPLICANTS OF LOWER INCOME, WHO OTHERWISE MEET THE ELIGIBILITY REQUIREMENTS IN SUBSECTION (3) OF THIS SECTION, FOR ENROLLMENT INTO THE PROGRAM."

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

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- SB01-043** by Senators Dyer (Durango) and Fitz-Gerald; also Representatives Scott and Dean--
Concerning the continuation of the sunset date for the passenger tramway safety board in
the division of registrations. 1
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Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 5
- SB01-059** by Senator Chlouber--Concerning traffic regulations relating to bicycles. 6
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Amendment No. 1, Government, Veterans and Military Relations and Transportation
Committee Amendment. 9
(Printed in Senate Journal, February 12, 2001, page 259.) 10
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As amended, ordered engrossed and placed on the calendar for Third Reading and Final
Passage. 13
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(For further action, see Amendments to the Report of the Committee of the Whole.) 16
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- SB01-074** by Senator Fitz-Gerald--Concerning authorization for any election to be conducted by mail 18
ballot. 19
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Laid over until Tuesday, February 20, 2001, retaining its place on the calendar. 21
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- SB01-086** by Senator Nichol; also Representative Scott--Concerning county acquisition by eminent 23
domain of rights-of-way to permit the uninterrupted continuation or connection of
recreational trails. 24
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Laid over until Tuesday, February 20, 2001, retaining its place on the calendar. 27
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- SB01-115** by Senator Cairns--Concerning the release of information identifying individuals who 29
defer the payment of property taxes pursuant to the state elderly property tax deferral
program. 30
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Amendment No. 1, Government, Veterans and Military Relations and Transportation
Committee Amendment. 33
(Printed in Senate Journal, February 12, 2001, page 260.) 34
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As amended, ordered revised and placed on the calendar for Third Reading and Final
Passage. 37
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- SB01-132** by Senators Arnold, Andrews, Cairns, McElhany and Teck; also Representative Kester-- 40
Concerning election ballots. 41
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Amendment No. 1, Government, Veterans and Military Relations and Transportation
Committee Amendment. 43
(Printed in Senate Journal, February 12, 2001, page 260.) 44
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As amended, ordered revised and placed on the calendar for Third Reading and Final
Passage. 47
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(For further action, see Amendments to the Report of the Committee of the Whole.) 50
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On motion of Senator Thiebaut, and with a majority of those elected to the Senate having
voted in the affirmative, **SB01-176** was advanced on the General Orders calendar. 52
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- SB01-176** by Senator Anderson; also Representative King--Concerning the creation of millennium 55
institutions. 56
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On motion of Senator Anderson, **SB01-176** was referred to the Committee on
Appropriations. 58
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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 Second Reading--General Orders calendar
(**SB01-135, SB01-172, SB01-031, SB01-160, SB01-169, SB01-097, SB01-081, SB01-
140, SB01-158, SB01-100, SB01-079, SB01-034, SB01-159, SB01-001, SB01-092,
SB01-165, SB01-123, SB01-104, HB01-1032, HB01-1013**) of Monday, February 19,
2001, was laid over until Tuesday, February 20, 2001, retaining its place on the calendar. 61
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AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE 69

- SB01-132** by Senators Arnold, Andrews, Cairns, McElhany and Teck; also Representative Kester--
Concerning election ballots. 70
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SB01-132

Senator Arnold moved to amend the Report of the Committee of the Whole to show that the Government, Veterans and Military Relations, and Transportation Committee amendment to **SB 01-132**, did not pass and that the bill did pass.

The roll call was taken with the following result:

YES	13	NO	21	EXCUSED	1	ABSENT	0
Anderson	N	Evans	N	May	Y	Takis	N
Andrews	Y	Fitz-Gerald	N	McElhany	Y	Tate	N
Arnold	Y	Gordon	N	Musgrave	Y	Taylor	Y
Cairns	Y	Hagedorn	N	Nichol	N	Teck	N
Chlouber	Y	Hanna	N	Owen	Y	Thiebaut	N
Dennis	N	Hernandez	N	Pascoe	N	Tupa	N
Dyer, E.	N	Hillman	Y	Perlmutter	N	Windels	N
Dyer, F.	Y	Lamborn	Y	Phillips	E	Mr. President	N
Epps	Y	Linkhart	N	Reeves	N		

Less than a majority of those elected to the Senate having voted in the affirmative, the amendment was declared **lost**.

ROLL CALL ON SB01-059

SB01-059

by Senator Chlouber--Concerning traffic regulations relating to bicycles.

Senator Lamborn requested a roll call vote on **SB01-059**.

As shown with the following roll call vote, more than a majority of those elected to the Senate voted in the affirmative, and **SB01-059**, as amended, was declared adopted on Second Reading.

YES	20	NO	14	EXCUSED	1	ABSENT	0
Anderson	N	Evans	N	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	N	Gordon	Y	Musgrave	N	Taylor	Y
Cairns	N	Hagedorn	Y	Nichol	N	Teck	Y
Chlouber	Y	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	E	Mr. President	Y
Epps	N	Linkhart	Y	Reeves	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Takis, 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: **SB01-013** as amended, **SB01-114** as amended, **SB01-043**, **SB01-059** as amended, **SB01-115** as amended, **SB01-132** as amended.
 Referred to Committee on Appropriations: **SB01-109**, **SB01-176**.
 Laid over till Tuesday, February 20, 2001: **SB01-074**, **SB01-086**, **SB01-135**, **SB01-172**, **SB01-031**, **SB01-160**, **SB01-169**, **SB01-097**, **SB01-081**, **SB01-140**, **SB01-158**, **SB01-100**, **SB01-079**, **SB01-034**, **SB01-159**, **SB01-001**, **SB01-092**, **SB01-165**, **SB01-123**, **SB01-104**, **HB01-1032**, **HB01-1013**.

Senate in Recess--Senate Reconvened.

COMMITTEE OF REFERENCE REPORTS

The committee recommends the following:

Education

After consideration on the merits, the committee recommends that **SB01-163** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

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

SB01-163

"SECTION 1. Part 1 of article 32 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

22-32-131. Stipend for student teachers - reduction in class size - definitions - repeal. (1) (a) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(I) STUDENTS LEARN BETTER WHEN THERE ARE FEWER STUDENTS IN THEIR CLASS;

(II) SMALLER CLASS SIZE MEANS MORE INDIVIDUALIZED ATTENTION FOR EACH STUDENT;

(III) THIS YEAR THERE ARE OVER TWO THOUSAND STUDENTS FULFILLING THEIR STUDENT TEACHING REQUIREMENTS IN COLORADO;

(IV) THESE STUDENT TEACHERS SHOULD BE UTILIZED BY SCHOOL DISTRICTS TO DELIVER MORE INDIVIDUALIZED ATTENTION TO STUDENTS.

(b) THE GENERAL ASSEMBLY INTENDS THAT SCHOOL DISTRICTS USE STUDENT TEACHERS TO INCREASE THE INDIVIDUALIZED ATTENTION STUDENTS RECEIVE IN THE CLASSROOM AND THE QUALITY OF THEIR EDUCATION AND THAT SCHOOL DISTRICTS USE STATE EDUCATION FUND MONEYS TO FINANCIALLY ASSIST STUDENT TEACHERS IN EXCHANGE FOR THE SERVICES THEY PROVIDE.

(2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "APPROVED TEACHER PREPARATION PROGRAM" HAS THE SAME MEANING AS DEFINED IN SECTION 23-1-121, C.R.S.

(b) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

(c) "PROGRAM" MEANS THE STUDENT TEACHER ASSISTANCE PROGRAM CREATED IN THIS SECTION.

(d) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

(e) "STATE EDUCATION FUND" MEANS THE STATE EDUCATION FUND CREATED PURSUANT TO SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

(f) "STUDENT TEACHING REQUIREMENT" MEANS THE SUPERVISED, FIELD-BASED EXPERIENCE REQUIREMENT FOR ANY APPROVED TEACHER PREPARATION PROGRAM.

(3) THERE IS HEREBY CREATED THE STUDENT TEACHER ASSISTANCE PROGRAM TO PROVIDE A STIPEND FOR STUDENT TEACHERS WHO FULFILL THEIR STUDENT TEACHING REQUIREMENTS IN COLORADO AND WHO SUBSEQUENTLY OBTAIN FULL-TIME POSITIONS IN THE COLORADO PUBLIC SCHOOL SYSTEM.

(4) BEGINNING IN THE 2002-03 ACADEMIC YEAR, EACH SCHOOL DISTRICT THAT ASSISTS STUDENTS IN FULFILLING THEIR STUDENT TEACHING REQUIREMENTS SHALL APPLY TO THE DEPARTMENT FOR STATE EDUCATION FUND MONEYS TO PROVIDE A STIPEND FOR STUDENT TEACHERS WHO ARE WORKING IN THE SCHOOL DISTRICT. THE STIPEND SHALL BE IN THE AMOUNT OF TWO THOUSAND FIVE HUNDRED DOLLARS, PAYABLE TO THE STUDENT TEACHER UPON COMPLETION OF THE STUDENT TEACHING REQUIREMENTS IF THE STUDENT RECEIVES A SATISFACTORY PERFORMANCE EVALUATION. THE SCHOOL DISTRICT SHALL USE ITS STUDENT TEACHERS TO GIVE MORE INDIVIDUALIZED ATTENTION TO STUDENTS AND TO REDUCE CLASS SIZE.

(5) A STUDENT SHALL REPAY THE STIPEND RECEIVED PURSUANT TO SUBSECTION (4) OF THIS SECTION IF THE STUDENT, WITHIN THREE YEARS

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SB01-163

AFTER THE DATE OF THE STUDENT'S GRADUATION FROM AN APPROVED TEACHER PREPARATION PROGRAM, HAS NOT CONTRACTED FOR A FULL-TIME POSITION WITH A COLORADO SCHOOL DISTRICT.

(6) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO ALLOW A SCHOOL DISTRICT TO SUPPLANT STATE EDUCATION FUND MONEYS FOR MONEYS CURRENTLY BEING SPENT ON A TEACHER IN RESIDENCE PROGRAM PURSUANT TO SECTION 22-32-110.3.

(7) THE STATE BOARD SHALL PROMULGATE RULES AS NECESSARY TO IMPLEMENT THIS PROGRAM INCLUDING, BUT NOT LIMITED TO, THE PROCESS BY WHICH SCHOOL DISTRICTS MAY APPLY FOR AND RECEIVE FROM THE DEPARTMENT STATE EDUCATION FUND MONEYS.

(8) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2006.

SECTION 2. 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."

MESSAGE FROM THE HOUSE

February 19, 2001

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1190,1211,1169,1254,1230,1275.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1007, amended as printed in House Journal, February 16, page 422.
HB01-1210, amended as printed in House Journal, February 16, pages 425-426.
HB01-1238, amended as printed in House Journal, February 16, pages 422-423.
HB01-1227, amended as printed in House Journal, February 16, pages 423-424.
HB01-1228, amended as printed in House Journal, February 16, page 424.
HB01-1229, amended as printed in House Journal, February 16, page 424.
HB01-1265, amended as printed in House Journal, February 16, page 425.
HB01-1217, amended as printed in House Journal, February 16, page 425.

MESSAGE FROM THE REVISOR

We herewith transmit:

without comment, HB01-1190, 1211, 1169, 1254, 1230, and 1275;
without comment, as amended, HB01-1007, 1210, 1238, 1227, 1228, 1229, 1265, and 1217.

INTRODUCTION OF BILLS--FIRST READING

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

- HB01-1075** by Representatives Mitchell, Hefley, Dean and Grossman; also Senators Perlmutter, Andrews, and Matsunaka--Concerning an increase in the number of district court judges in ten judicial districts, and making an appropriation therefor.
Judiciary
Appropriations
- HB01-1135** by Representative Clapp; also Senator Hernandez--Concerning the creation of a pilot program to promote voting through networked electronic election systems in certain special district elections.
Government, Veterans and Military Relations, and Transportation
- HB01-1152** by Representative Vigil; also Senator Hagedorn--Concerning alternatives to nursing facility care, and, in connection therewith, encouraging relative personal care.
Health, Environment, Children & Families
- HB01-1168** by Representative Lawrence; also Senator Anderson--Concerning substantive changes for the strengthening of the juvenile laws.
Judiciary

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HB01-1215 by Representative White; also Senator Anderson--Concerning a limitation on information in school reports concerning the percentage of teachers teaching in a subject in which the teacher received a degree.
Education

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HB01-1246 by Representative Hoppe; also Senator Dennis--Concerning an authorization for counties to receive wastewater construction grants on behalf of small communities in unincorporated areas.
Agriculture and Natural Resources

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HB01-1260 by Representative Bacon; also Senator Windels--Concerning the "School Attendance Law of 1963".
Education

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TRIBUTES--A POINT OF INTEREST

Honoring Pat Bowlen and the Denver Broncos by Senator Linkhart

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Honoring Staff at La Voz Newspaper by Senator Linkhart

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On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., Tuesday, February 20, 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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