

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

Fifth Legislative Day Monday, September 24, 2001

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

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

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Isgar, reading of the Journal of Friday, September 21 was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Services Correctly printed: SB01S2-020.
Correctly revised: HJR01S2-1002.
Correctly engrossed: SB01S2-008, SJR01S2-003, 004.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

The following resolution was read by title:

SR01S2-002 by Senators Thiebaut, Matsunaka and Andrews--Concerning Changes to Membership of Senate Committees of Reference.

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

That the following changes be made in the membership of the following Senate Committees:

Remove Senator Jim E. Dyer as a member and chair of the Agriculture and Natural Resources committee and as a member of the Government, Veterans and Military Relations, and Transportation committee;

Add Senator Isgar as a member and chair of the Agriculture and Natural Resources committee and as a member of the Government, Veterans and Military Relations, and Transportation committee.

Senator Thiebaut moved to suspend Senate Rule 30(c) for immediate consideration of **SR01S2-002**.

A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(c) was suspended and immediate consideration granted.

On motion of Senator Thiebaut, the Resolution was adopted by the following roll call vote:

YES	34	NO	0	EXCUSED	1	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
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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:

SB01S2-008 by Senator Hagedorn; also Representative Alexander--Concerning clarification of the applicable penalties for offenses involving the operation of a motor vehicle by a person who has consumed alcohol.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

Co-sponsors added: Chlouber, Dyer.

CONSIDERATION OF RESOLUTIONS

SJR01S2-005 By Senators Entz, Arnold, Evans, Teck and Windels; also Representative Snook-- Concerning activities at Veteran's Day parades in honor of the victims of the terrorist attacks committed against our country on September 11, 2001.

Amendment No. 1(L.002), by Senator Takis

Amend printed joint resolution, page 2, line 15, after "Prayer", insert "or their own prayer or a moment of personal reflection".

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

On motion of Senator Entz, the Resolution, as amended, was adopted by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

COMMITTEE OF REFERENCE REPORTS

The committee recommends the following:

Judiciary

After consideration on the merits, the committee recommends that **SB01S2-012** be amended as follows and, as so amended be referred to Appropriations with favorable recommendation.

Amend printed bill, page 4, line 5, strike "300n;", and substitute the following:

"300n, ON OR AFTER JULY 1, 2002, UNLESS THE CENTERS FOR MEDICARE AND MEDICAID SERVICES APPROVES THE STATE DEPARTMENT'S AMENDMENT TO THE MEDICAL ASSISTANCE PLAN AND THE STATE

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SB01S2-012

DEPARTMENT IS ABLE TO IMPLEMENT THE BREAST AND CERVICAL CANCER PREVENTION AND TREATMENT PROGRAM BEFORE SUCH DATE, THEN THE PERSON MUST BE SCREENED ON OR AFTER THE IMPLEMENTATION DATE OF SUCH PROGRAM."

Page 6, strike lines 13 through 16 and substitute the following:

"ASSEMBLY. ALL MONEYS".

Senate in Recess--Senate Reconvened.

COMMITTEE OF REFERENCE REPORTS

The committee recommends the following:

~~SB01S2-002~~
Public Policy
and Planning

postponed indefinitely.

~~SB01S2-006~~
Public Policy
and Planning

favorably to the Committee on Appropriations.

MESSAGE FROM THE HOUSE

September 24, 2001

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01S2-1001.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01S2-1006, amended as printed in House Journal, Sept. 21, pages 28-29. HB01S2-1010, amended as printed in House Journal, Sept. 21, page 29.

MESSAGE FROM THE REVISOR

We herewith transmit:

without comment, HB01S2-1001;
without comment, as amended, HB01S2-1006 and 1010.

CORRESPONDENCE FROM COLORADO'S CONGRESSIONAL DELEGATION

September 19, 2001

State Senator Marilyn Musgrave
Colorado State Capitol
200 East Colfax Avenue
Denver, Colorado 80203

Dear Senator Musgrave:

Please accept my best wishes for a productive Special Session of the Colorado General Assembly. As the nation confronts the perpetrators of terrorism and rises above their vicious attack upon innocent Americans, the state and nation look to you for leadership and guidance. The tone and demeanor of Colorado's Legislature has always inspired a positive and powerful bearing upon the character of our communities. Your affirmative leadership and statesmanship amidst extraordinary national circumstances is needed more than ever.

As one who once served as you do now, my respect for the institution of the Colorado General Assembly has never been greater. Your station is clearly one of esteemed honor for it truly reflects the voice of the people.

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The important policy matters before you today must be resolved and dispatched judiciously, and most importantly, beyond any distraction naively intended by our enemies. While such requirements for singular purpose and focus are customary, certainly obvious, my deeper intention by this letter is simply to convey my immense confidence in you and your colleagues. I am exceedingly proud to be a Coloradan and personally comforted by your proven devotion to our state and nation during this time of national conflict.

Thank you for the dedication and sacrifice incumbent in the discharge of your solemn duties as these offerings are precisely the reasons Colorado stands tall as a leader among the several states. May this Session prove successful and harmonious. The courageous example set by our Great State is plainly one of national proportion and my prayers for God's wisdom and His continued blessings are therefore offered in earnest -- *Nil Sine Numine*.

Very truly yours,
 (signed)
 Bob Schaffer
 Member of Congress
 from Colorado

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, September 24, was laid over until Tuesday, September 25, retaining its place on the calendar.

On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., Tuesday, September 25, 2001.

Approved:

 Stan Matsunaka
 President of the Senate

Attest:

 Karen Goldman
 Secretary of the Senate

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