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

Sixteenth Legislative Day

Friday, October 5, 2001

|                       |  | _ |
|-----------------------|--|---|
| Prayer                | By the chaplain,   |   |
| Call to<br>Order      | By the President at 10:00 a.m.   |   |
| Oldel                 |  |   |
| Roll Call             | PresentTotal, 31.<br>Absent/ExcusedEntz, Epps, Hagedorn, TupaTotal 4.  |   |
|                       | Present laterEntz, Hagedorn.   |   |
| Quorum                | The President announced a quorum present.  |   |
| Reading of<br>Journal | On motion of Senator McElhany, reading of the Journal of October 4, 2001 was dispensed with and the Journal was approved as corrected by the Secretary.  |   |
|                       | SENATE SERVICES REPORT   |   |
| Senate                | Correctly printed: SB 01S2-023.  |   |
| Services              | Correctly revised: HJR 01S2-1003, HB 01S2-1034, 1006, 1019.  |   |
|                       | Correctly rerevised: HB 0S2-1020, 1001.  |   |
|                       | Correctly engrossed: SB 01S2-023, SJR 01S2-002.  |   |
|                       | Correctly reengrossed: SB 01S2-022, 015.   |   |
|                       |  |   |
|                       | MESSAGE FROM THE HOUSE   |   |
|                       | October 5, 2001  |   |
|                       | Mr. President:   |   |
|                       | The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB01S2-012, amended as printed in House Journal, October 4, pages 170-171. SB01S2-022, amended as printed in House Journal, October 4, page 176.                   |   |
|                       | MESSAGE FROM THE REVISOR   |   |
|                       | We herewith transmit:  |   |
|                       | Without comment, as amended, SB01S2-012 and 022.   |   |
|                       |  |   |
|                       | COMMUNICATIONS FROM THE SECRETARY OF STATE   |   |
|                       | STATE OF COLORADO  |   |
|                       | Department of<br>State   |   |
|                       | UNITED STATES OF AMERICA)SS.CertificateSTATE OF COLORADO)  |   |
|                       | I, DONETTA DAVIDSON, Secretary of State of the State of Colorado, do hereby certify that the attached is a true and exact copy of Executive Order Amendment D 015 01, amending Executive Order D 011 01, as filed in this office on October 5, 2001. |   |
|                       | IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this 5th day of October, A.D., 2001.  |   |
|                       |  |   |

(Signed) Donetta Davidson Secretary of State

### **MESSAGE FROM THE GOVERNOR**

### D 015 01 EXECUTIVE ORDER AMENDMENT

### Amending Executive Order D 011 01

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, and in particular vested in the Governor pursuant to Article IV, Section 9 of the Colorado Constitution, and as provided for the Article V, Section 7, I, Bill Owens, Governor of the State of Colorado, hereby issue this Executive Order further amending Executive Order D 011 01 and designating additional subjects for consideration during the second special session of the Sixty-third General Assembly.

Executive Order D 011 01 dated September 10, 2001, as amended by Executive Order D 013 01 is hereby amended with the additional and designation of the following call items to Section 2:

### 2. Proclamation

- P. Concerning a pilot program to provide a group benefit insurance plan to state employees.
- Q. Concerning funding reductions in capitol projects.

Given under my hand the Executive Seal of the State of Colorado this 4<sup>th</sup> day of October, 2001.

(signed) Bill Owens Governor

### **INTRODUCTION OF RESOLUTIONS**

The following resolution was read by title:

**SR01S2-003** by Senator Thiebaut--Concerning appointment of a special committee to study necessary changes to the state military statutes.

WHEREAS, The state statutes pertaining to the state military forces and treatment of veterans of the armed forces have not received comprehensive review and consideration in several years; and

WHEREAS, Many of the state statutes pertaining to the state military forces and treatment of veterans of the armed forces may be outdated and may no longer be adequate to address modern situations that the state military forces may encounter; and

WHEREAS, The recent terrorist attacks on cities within the United States are startling and frightening demonstrations of the increased threat to the country and to the citizens of Colorado from foreign and domestic terrorists and enemies; and

WHEREAS, To protect the safety of Colorado citizens and other American citizens, Colorado's state military forces may soon be called upon to provide protective and, potentially, combative services; and

WHEREAS, The strong potential for increased action on the part of Colorado's state military forces requires the General Assembly to ensure immediately that the laws pertaining to Colorado's state military forces, including veterans, are up to date and adequate to address all situations that may arise; and

WHEREAS, The exigent circumstances creating the need for an immediate study of the laws pertaining to Colorado's state military forces,

#### SR01S2-003

including veterans, make it appropriate to create a special Senate committee to conduct such a study and prepare legislative recommendations for introduction during the Second Regular Session of the Sixty-third General Assembly; now, therefore,

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

(1) That there is hereby created a special Senate committee to study articles 1 to 5 of title 28, Colorado Revised Statutes, pertaining to military forces and veterans and recommend such changes as may be necessary to adequately address issues that may arise with regard to the state military forces. The members of the Senate Government, Veterans and Military Relations, and Transportation Committee shall serve as the special Senate committee.

(2) That the special Senate committee shall meet up to six times during the 2001 interim to study the need for changes to articles 1 to 5 of title 28, Colorado Revised Statutes, including but not limited to changes to address the following issues:

(a) Updating the Colorado military code as necessary to reflect changes in federal laws;

(b) The procedures by which women may enlist in the state military forces; and

(c) Definitions of pertinent terms, including but not limited to "terrorist" and "saboteur".

(3) That the special Senate committee may form subcommittees to accomplish its goals and may invite additional members of any community in the state to participate in such subcommittees. Each meeting of the special Senate committee shall include an opportunity for public comment on items related to the committee's agenda.

(4) That, notwithstanding the provisions of section 2-2-307, Colorado Revised Statutes, the members of the special Senate committee shall serve on the committee without compensation, including without per diem and without compensation for expenses.

(5) That the Legislative Council staff, the Office of Legislative Legal Services staff, and the Joint Budget Committee staff shall be available to assist, within existing appropriations, the special Senate committee in carrying out its duties.

(6) That the special Senate committee shall not constitute an interim committee for purposes of the Joint Rules. On or before January 15, 2002, the special Senate committee shall submit a report to the full Senate regarding the results of its study, including any legislative recommendations arising therefrom.

*Be It Further Resolved*, That the Senate respectfully urges the honorable Governor of the state of Colorado to issue immediately an executive order authorizing the enlistment of women in the state military forces, which executive order the Senate respectfully requests relate back in time to those women who have served in the state military forces since the enactment of section 28-3-103 (9), Colorado Revised Statutes, in its current form.

*Be It Further Resolved,* That a copy of this Resolution be sent to Governor Bill Owens.

Laid over until later in the day, retaining its place on the calendar.

The following resolutions were read by title and referred to the following committee:

HJR01S2-1006 by Representatives Mitchell and Dean; also Senator Hillman--Concerning the general assembly's constitutional role in determining the congressional redistricting of Colorado. Education

**HJR01S2-1007** by Representatives Clapp and Mace; also Senators Hernandez and Dyer--Concerning encouragement of school district policies to prevent desecration of the American flag in public schools. Education

### 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:

**HB01S2-1010** by Representatives Mace, Cadman, Coleman, Marshall, Chavez, Daniel, Hodge, Jahn, Ragsdale, Sanchez, Tapia and Vigil; also Senator Hernandez--Concerning the creation of a regional planning agreement between certain local governments that are members of the metropolitan planning organization for the Denver region.

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

| YES      | 15 | NO          | 18 | EXCUSED    | 2 | ABSENT        | 0 |
|----------|----|-------------|----|------------|---|---------------|---|
| Anderson | N  | Fitz-Gerald | Y  | May        | N | Takis         | Y |
| Andrews  | N  | Gordon      | Y  | McElhany   | N | Tate          | Y |
| Arnold   | N  | Hagedorn    | Y  | Musgrave   | N | Taylor        | N |
| Cairns   | N  | Hanna       | Y  | Nichol     | N | Teck          | N |
| Chlouber | N  | Hernandez   | Y  | Owen       | N | Thiebaut      | Y |
| Dyer, F. | N  | Hillman     | N  | Pascoe     | Y | Tupa          | E |
| Entz     | N  | Isgar       | N  | Perlmutter | Y | Windels       | Y |
| Epps     | E  | Lamborn     | N  | Phillips   | Y | Mr. President | Y |
| Evans    | N  | Linkhart    | Y  | Reeves     | Y |               |   |

A majority of members elected to the Senate having voted in the negative, the bill was declared **lost**.

**SB01S2-021** by Senator Tate; also Representative Marshall--Concerning the congressional redistricting of Colorado.

Laid over until later in the day, retaining its place on the calendar.

**HB01S2-1034** by Representatives Tapia, Spradley and Lawrence; also Senator Hernandez--Concerning a pilot program for a group benefit insurance plan for state employees experiencing increases in HMO health insurance costs exceeding a specified amount.

The question being "Shall the bill pass?", the bill passed by the following roll call vote:

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

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

Co-sponsors added: Anderson, Arnold, Chlouber, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Hagedorn, Hanna, Matsunaka, McElhany, Nichol, Phillips, Reeves, Tate, Taylor, Teck, Windels.

**HB01S2-1019** by Representative Scott; also Senator Tate--Concerning the adoption of legally enforceable 62 local government master plans. 63

Laid over until later in the day, retaining its place on the calendar.

**HB01S2-1006** by Representative Stengel; also Senator Perlmutter--Concerning the mandatory adoption of local government master plans.

The question being "Shall the bill pass?", the bill passed by the following roll call vote:

### HB01S2-1006

| YES      | 25             | NO          | 8 | EXCUSED    | 2 | ABSENT        | 0 |
|----------|----------------|-------------|---|------------|---|---------------|---|
| Anderson | $\frac{2J}{Y}$ | Fitz-Gerald |   | Mav        |   | Takis         |   |
| Andrews  | Ŷ              | Gordon      | Ŷ | McElhany   | Y | Tate          | Ŷ |
| Arnold   | N              | Hagedorn    | Y | Musgrave   | Ν | Taylor        | Y |
| Cairns   | N              | Hanna       | Y | Nichol     | Y | Teck          | Y |
| Chlouber | Y              | Hernandez   | Y | Owen       | Y | Thiebaut      | Y |
| Dyer, F. | N              | Hillman     | Ν | Pascoe     | Y | Tupa          | E |
| Entz     | N              | Isgar       | Y | Perlmutter | Y | Windels       | Y |
| Epps     | E              | Lamborn     | N | Phillips   | Y | Mr. President | Y |
| Evans    | Y              | Linkhart    | Y | Reeves     | Y |               |   |

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

Co-sponsors added: Gordon, Hagedorn, Linkhart, Pascoe, Tate, Windels.

**SB01S2-023** by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman--Concerning reductions in the funding of capital projects for purposes of addressing the anticipated revenue shortfall for the 2001-2002 fiscal year.

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

Third Reading Amendment No. 5 (J.005), by Senator Reeves.

Amend engrossed bill, page 15, line 4, in the ITEM & SUBTOTAL column, strike "78,394,173" and substitute "1,546,978";

line 5, in the ITEM & SUBTOTAL column, strike "78,179,090" and substitute "1,331,895".

Page 16, strike lines 1 through 3.

Page 51, line 7, in the CASH FUNDS EXEMPT column, strike "1,200,000" and substitute "1,200,000".

Page 57, line 9, strike " $\frac{1}{2}$  Development<sup>2</sup> Development" and substitute "Development<sup>2</sup>".

Page 85, strike line 13 and substitute "(B) Capital Construction Projects".

Page 116, strike lines 3 through 6 and substitute the following:

"2 Capital Construction, Department of Higher Education, University of Colorado Health Sciences Center, Capital Construction Projects, Fitzsimons, Infrastructure Development -- It is the intent of the General Assembly that the State Controller restrict these funds pending notification by the Capital Development Committee and Joint Budget Committee that the Board of Regents and the Commission and the General Assembly have agreed to a management structure for the move to the Fitzsimons campus that meets the needs of all parties.".

A majority of 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 bill passed by the following roll call vote:

| YES      | 27  | NO            | 6 | EXCUSED    | 2 | ABSENT        | 0 |
|----------|-----|---------------|---|------------|---|---------------|---|
| Anderson |     | Y Fitz-Gerald | Y | May        | Ν | Takis         | Y |
| Andrews  | 1   | N Gordon      | Y | McElhany   | N | Tate          | Y |
| Arnold   | N . | Y Hagedorn    | Y | Musgrave   | Ν | Taylor        | Y |
| Cairns   | 1   | N Hanna       | Y | Nichol     | Y | Teck          | Y |
| Chlouber |     | Y Hernandez   | Y | Owen       | Y | Thiebaut      | Y |
| Dyer, F. | N.  | Y Hillman     | Y | Pascoe     | Y | Tupa          | E |
| Entz     | N . | Y Isgar       | Y | Perlmutter | Y | Windels       | Y |
| Epps     | I   | E Lamborn     | N | Phillips   | Y | Mr. President | Y |
| Evans    | 1   | Y Linkhart    | Y | Reeves     | Y |               |   |

**SB01S2-023** A majority of members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills.

### CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

**SB01S2-022** by Senators Thiebaut, Hagedorn and Hernandez; also Representative Spradley--Concerning an increase in the state contribution for employees enrolled in group benefit plans, and making an appropriation in connection therewith.

Senator Thiebaut moved that the Senate concur in House amendments to **SB01S2-022**, as printed in House Journal, October 4, page 175. The motion was **passed** by the following roll call vote:

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

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

| YES      | 31 | NO          | 2 | EXCUSED    | 2 | ABSENT        | 0 |
|----------|----|-------------|---|------------|---|---------------|---|
| Anderson | Ŋ  | Fitz-Gerald | Y | May        | Ν | Takis         | Y |
| Andrews  | Ŋ  | Gordon      | Y | McElhany   | N | Tate          | Y |
| Arnold   | Ŋ  | / Hagedorn  | Y | Musgrave   | Y | Taylor        | Y |
| Cairns   | Ϊ  | Hanna       | Y | Nichol     | Y | Teck          | Y |
| Chlouber | Ŋ  | / Hernandez | Y | Owen       | Y | Thiebaut      | Y |
| Dyer, F. | Ŋ  | / Hillman   | Y | Pascoe     | Y | Tupa          | E |
| Entz     | Ŋ  | / Isgar     | Y | Perlmutter | Y | Windels       | Y |
| Epps     | E  | E Lamborn   | Y | Phillips   | Y | Mr. President | Y |
| Evans    | Y  | / Linkhart  | Y | Reeves     | Y |               |   |

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

Co-sponsors added: Arnold, Chlouber, Entz, Evans, Fitz-Gerald, Gordon, Hanna, Hernandez, Isgar, Nichol, Pascoe, Phillips, Reeves, Taylor, Windels.

**SB01S2-012** by Senators Reeves, Hagedorn, Hanna, Linkhart, Pascoe, Phillips, Windels, Hernandez, and Tate; also Representatives Spradley, Berry, Larson, Romanoff, and Smith--Concerning the creation of the breast and cervical cancer prevention and treatment program, and making an appropriation therefor.

Senator Reeves moved that the Senate concur in House amendments to **SB01S2-012**, as printed in House Journal, October 4, pages 170-171. The motion was **passed** by the following roll call vote:

| YES      | 33 | NO            | 0 | EXCUSED    | 2 | ABSENT        | 0 |
|----------|----|---------------|---|------------|---|---------------|---|
| Anderson | Ŋ  | / Fitz-Gerald | Y | May        | Y | / Takis       | Y |
| Andrews  | Ŋ  | Gordon        | Y | McElhany   | Y | Tate          | Y |
| Arnold   | Ŋ  | / Hagedorn    | Y | Musgrave   | Y | / Taylor      | Y |
| Cairns   | Ŋ  | Hanna         | Y | Nichol     | Y | / Teck        | Y |
| Chlouber | Y  | / Hernandez   | Y | Owen       | Y | Thiebaut      | Y |
| Dyer, F. | Y  | / Hillman     | Y | Pascoe     | Y | / Tupa        | E |
| Entz     | Y  | / Isgar       | Y | Perlmutter | Y | Windels       | Y |
| Epps     | I  | E Lamborn     | Y | Phillips   | Y | Mr. President | Y |
| Evans    | Y  | / Linkhart    | Y | Reeves     | Y | 7             |   |

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

### SB01S2-012

| YES      | 32 |   | NO          | 1 |   | EXCUSED    | 2 |   | ABSENT        | 0 |   |
|----------|----|---|-------------|---|---|------------|---|---|---------------|---|---|
| Anderson | 52 | Y | Fitz-Gerald | 1 | Y | May        | 2 | Y | Takis         |   | Y |
| Andrews  |    | Y | Gordon      |   | Y | McÉlhany   |   | Y | Tate          |   | Y |
| Arnold   |    | Y | Hagedorn    |   | Y | Musgrave   |   | Y | Taylor        |   | Y |
| Cairns   |    | Y | Hanna       |   | Y | Nichol     |   | Y | Teck          |   | Ν |
| Chlouber |    | Y | Hernandez   |   | Y | Owen       |   | Y | Thiebaut      |   | Y |
| Dyer, F. |    | Y | Hillman     |   | Y | Pascoe     |   | Y | Tupa          |   | E |
| Entz     |    | Y | Isgar       |   | Y | Perlmutter |   | Y | Windels       |   | Y |
| Epps     |    | E | Lamborn     |   | Y | Phillips   |   | Y | Mr. President |   | Y |
| Evans    |    | Y | Linkhart    |   | Y | Reeves     |   | Y |               |   |   |

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

Co-sponsor added: Gordon.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

# **CONSIDERATION OF RESOLUTIONS**

**SR01S2-003** by Senator Thiebaut--Concerning appointment of a special committee to study necessary changes to the state military statutes.

Senator Thiebaut moved to suspend Senate Rule 30(c).

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 Andrews, the resolution was read at length. On motion of Senator Thiebaut, the resolution was **adopted** by the following roll call vote:

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

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

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Third Reading of Bills--Final Passage.

# THIRD READING--FINAL PASSAGE OF BILLS

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

**HB01S2-1019** by Representative Scott; also Senator Tate--Concerning the adoption of legally enforceable 61 local government master plans. 62

The question being "Shall the bill pass?", the bill passed by the following roll call vote:

### HB01S2-1019

| YES      | 21 | NO          | 12 | EXCUSED    | 2 | ABSENT        | 0 |
|----------|----|-------------|----|------------|---|---------------|---|
| Anderson | N  | Fitz-Gerald | Y  | May        | N | Takis         | Y |
| Andrews  | Y  | Gordon      | Y  | McElhany   | N | Tate          | Y |
| Arnold   | N  | Hagedorn    | Y  | Musgrave   | N | Taylor        | Y |
| Cairns   | N  | Hanna       | Y  | Nichol     | Y | Teck          | N |
| Chlouber | Y  | Hernandez   | Y  | Owen       | Y | Thiebaut      | Y |
| Dyer, F. | N  | Hillman     | N  | Pascoe     | Y | Tupa          | E |
| Entz     | N  | Isgar       | N  | Perlmutter | Y | Windels       | Y |
| Epps     | E  | Lamborn     | N  | Phillips   | Y | Mr. President | Y |
| Evans    | Y  | Linkhart    | Y  | Reeves     | Y |               |   |

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

Co-sponsors added: Pascoe, Perlmutter.

Senate in Recess--Senate Reconvened.

# **MESSAGE FROM THE HOUSE**

October 5, 2001

Mr. President:

The House has passed on Third Reading and returns herewith SB01S2-015.

The House has voted to concur in the Senate amendments to HB01S2-1034, and 1006, and has repassed the bills as so amended.

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

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, changes the following deadlines for LLS NO. 01S2 3128, Concerning Funding of Capital Projects.

The Wednesday, October 3, 2001, deadline for introduction of delayed bills is extended until Thursday, October 4, 2001, and all other deadlines are waived.

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

(signed) Representative Dean Speaker of the House of Representatives

(signed) Representative Spradley House Majority Leader

(signed) Representative Grossman House Minority Leader (signed) Senator Matsunaka President of the Senate

(signed) Senator Thiebaut Senate Majority Leader

(signed) Senator Andrews Senate Minority Leader

Senate in Recess--Senate Reconvened

# **MESSAGE FROM THE HOUSE**

October 5, 2001 Mr. President:

The House has voted not to concur in the Senate amendments to HB01S2-1019 and requests that a conference committee be appointed. The Speaker has appointed Representatives Scott, chairman, Stengel, and Miller as House conference on the First Conference Committee on HB01S2-1019. The bill is transmitted herewith.

# 1 234 567 89 10 11 12 13 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71

# **APPOINTMENTS TO CONFERENCE COMMITTEE**

The President appointed Senators Tate, Chairman, Perlmutter and Owen as Senate Conferences on the First Conference Committee on **HB01S2-1019**.

# ADHERE ON SB01S2-020

**SB01S2-020** by Senator Thiebaut; also Representative Fairbank--Concerning the congressional redistricting of Colorado.

Senator Thiebaut moved that the Senate adhere to its position on **SB01S-020**. The roll call 14 was taken with the following result: 15

| YES      | 18 | NO          | 15 | EXCUSED    | 2 | ABSENT        | 0 |
|----------|----|-------------|----|------------|---|---------------|---|
| Anderson | N  | Fitz-Gerald | Y  | May        | N | Takis         | Y |
| Andrews  | N  | Gordon      | Y  | McElhany   | E | Tate          | Y |
| Arnold   | N  | Hagedorn    | Y  | Musgrave   | N | Taylor        | Ν |
| Cairns   | N  | Hanna       | Y  | Nichol     | Y | Teck          | Ν |
| Chlouber | N  | Hernandez   | Y  | Owen       | N | Thiebaut      | Y |
| Dyer, F. | N  | I Hillman   | N  | Pascoe     | Y | Tupa          | Y |
| Entz     | N  | I Isgar     | Y  | Perlmutter | Y | Windels       | Y |
| Epps     | E  | Lamborn     | N  | Phillips   | Y | Mr. President | Y |
| Evans    | N  | Linkhart    | Y  | Reeves     | Y |               |   |

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

### **MESSAGE FROM THE HOUSE**

October 5, 2001

Mr. President:

The House has adopted the First Minority Report of the First Conference Committee on SB01S2-020, as printed in House Journal, October 5, and has repassed the bill as amended.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, October 5, 2001, was laid over until Tuesday, October 9, 2001, retaining its place on the calendar.

General Orders--Second Reading of Bills--HB01S2-007, SB01S2-014.

Third Reading--Final Passage of Bills--SB01S2-021.

Journal Correction: SJ October 4: page 80: In the CASH FUNDS EXEMPT column, strike "280,000" and substitute "280,000<sup>d</sup>". In the CASH FUNDS EXEMPT column, strike "100,000" and substitute "100,000<sup>d</sup>".

On motion of Senator Thiebaut, the Senate adjourned until 10:00 a.m., Tuesday, October 9, 2001.

Approved:

Stan Matsunaka President of the Senate

Attest:

Karen Goldman Secretary of the Senate