

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

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Fifty-eighth Legislative Day

Thursday, March 7, 2002

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Prayer By the chaplain, Father Larry Bradford, Church of the Holy Redeemer.

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

Roll Call Present--Total, 29.  
Absent/Excused-- Evans, Hanna, Linkhart, Nichol, Phillips, Windels--Total, 6.  
Present later--Evans, Linkhart, Nichol, Phillips, Windels.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Taylor, reading of the Journal of Wednesday, March 6, was dispensed with and the Journal was approved as corrected by the Secretary.

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**COMMITTEE OF REFERENCE REPORTS**

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB02-1163** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, line 1, after "FORM,", insert "THE CARRIER INSURING".

Page 6, line 16, strike "(8) (a) (VII),";

strike lines 22 through 25 and substitute the following:

**"benefit plans. (8) (a)".**

Page 8, line 14, strike "PLAN." and substitute "PLAN, UNLESS THE IMMEDIATE CARRIER WILL WITHDRAW COVERAGE FROM THE MARKET.".

Page 9, line 4, after "LAPSED", insert "BECAUSE OF NONPAYMENT OF PREMIUMS OR FRAUD".

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB02-1098** be referred favorably to the Committee on Appropriations.

Health, Environment, Children & Families After consideration on the merits, the committee recommends that **HB02-1220** be referred favorably to the Committee on Appropriations.

Health, Environment, Children & Families After consideration on the merits, the committee recommends that **HB02-1232** be referred favorably to the Committee on Appropriations.

Health, Environment, Children & Families After consideration on the merits, the committee recommends that **HB02-1282** be referred to the Committee of the Whole with favorable recommendation.

INTRODUCTION OF MEMORIALS

The following memorial was read by title:

SJM02-001 by Senator(s) Thiebaut; also Representative(s) Tapia--Memorializing Congress to demand the return of the USS Pueblo to the United States Navy.

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

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:

SB02-001 by Senator(s) Tupa; also Representative(s) Borodkin--Concerning the one-time authority of the board of directors of the regional transportation district upon approval of the eligible electors of the district to increase the rate of sales tax levied by the district to a rate not to exceed one percent.

Laid over until Friday, March 8, retaining its place on the calendar.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders--Second Reading of Bills Consent Calendar (HB02-1231, HB02-1077, HB02-1167) of Thursday, March 7, was laid over until Monday, March 11, retaining its place on the calendar.

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, HJR02-1008.

CONSIDERATION OF RESOLUTIONS

HJR02-1008 by Representative Coleman; also Senator Taylor--Memorializing former state auditor J. David "Dave" Barba.

On motion of Senator Taylor, the Resolution was read at length and adopted by the following roll call vote:

Table with 4 columns: YES (34), NO (0), EXCUSED (1), ABSENT (0). Rows list names of senators and their votes (Y, N, E).

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

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the committee recommends that SB02-168 be referred favorably to the Committee of the Whole and with a recommendation that it be placed on the Consent Calendar.

Judiciary After consideration on the merits, the committee recommends that HB02-1305 be referred to the Committee of the Whole with favorable recommendation.

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Judiciary After consideration on the merits, the committee recommends that **HB02-1311** be referred favorably to the Committee of the Whole and with a recommendation that it be placed on the Consent Calendar.

Business, Labor, and Finance The Committee has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

EXAMINING BOARD OF PLUMBERS:

for terms expiring July 1, 2005:

Michael E. Wieseler of Westminster, Colorado, to serve as a journeyman plumber and as a Democrat, appointed;

Timothy D. Ryan of Loma, Colorado, to serve as a member of the public and as an Unaffiliated, reappointed;

Giles J. Schurman of Louisville, Colorado, to serve as an employee of a local government agency conducting plumbing inspections and as a Democrat, appointed.

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB02-1158** be referred favorably to the Committee of the Whole and with a recommendation that it be placed on the Consent Calendar.

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB02-1076** be referred favorably to the Committee of the Whole and with a recommendation that it be placed on the Consent Calendar.

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB02-1059** be referred favorably to the Committee of the Whole.

**CONSIDERATION OF RESOLUTIONS**

**HJR02-1023** by Representative(s) Hefley, Alexander, Berry, Cadman, Chavez, Clapp, Cloer, Coleman, Daniel, Fairbank, Groff, Harvey, Hoppe, Jahn, Mitchell, Sanchez, Stafford, Stengel, Swenson, Vigil; also Senator(s) Takis--Concerning Colorado Nonprofit Week.

Amendment No. 1(L.001), by Senator Takis.

Amend engrossed resolution, page 2, line 6, strike "*Colorado:*" and substitute "*Colorado, the Senate concurring herein:*".

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

On motion of Senator Takis, the Resolution as amended was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	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	E	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

**MESSAGE FROM THE HOUSE**

March 7, 2002

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB02-1346,1334.

The House has passed on Third Reading and returns herewith SB02-107,037,140.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB02-1352, amended as printed in House Journal, March 6, page 743. HB02-1335, amended as printed in House Journal, March 6, page 744.

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

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadline for House Bill 02-1349, Concerning the Financing of Public Schools and Making an Appropriation Therefor:

The Friday, March 15 deadline (the 66th legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, is extended until Monday, April 15, 2002 (the 97th legislative day).

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

(Signed)  
Representative Dean  
Speaker of the House of Representatives

(Signed)  
Senator Matsunaka  
President of the Senate

(Signed)  
Representative Spradley  
House Majority Leader

(Signed)  
Senator Thiebaut  
Senate Majority Leader

(Signed)  
Representative Grossman  
House Minority Leader

(Signed)  
Senator Andrews  
Senate Minority Leader

**SENATE SERVICES REPORT**

Senate  
Services

Correctly printed: SB02-181, 182.

Correctly engrossed: SJR02-011.

Correctly revised: HJR02-1024.

Correctly enrolled: SJR02-009.

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 Thursday, March 7, was laid over until Friday, March 8, retaining its place on the calendar.

General Orders--Second Reading of Bills--**HB02-1022, HB02-1168, HB02-1132, HB02-1083, HB02-1061, HB02-1087, HB02-1153, HB02-1026, HB02-1118, HB02-1041, HB02-1053, HB02-1019, HB02-1020, HB02-1056, HB02-1032, HB02-1092, HB02-1177.**

Consideration of Resolutions: **HJR02-1003, SJR02-004, HJR02-1005, SJR02-006, HJR02-1015, HJR02-1022, HJR02-1019, HJR02-1021.**

Consideration of House Amendments to Senate Bills: **SB02-028, SB02-005.**

Consideration of Governor's Veto: **SB02-108.**

Consideration of Governor's Appointments:  
Statewide Poison Control Oversight Board

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On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., Friday, March 8, 2002.

Approved:

Stan Matsunaka  
President of the Senate

Attest:

Karen Goldman  
Secretary of the Senate

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