

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

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Fifty-seventh Legislative Day

Wednesday, March 6, 2002

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Prayer By the chaplain, Rabbi David Zucker, Shalom Park

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

Roll Call Present--Total, 35.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Hanna, reading of the Journal of Tuesday, March 5, 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 **HB02-1164** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 18 through 21 and substitute the following:

~~"(II) The acquisition of a class of business from another small employer carrier; or~~

~~(III) The provision of coverage to one or more association groups that meet the requirements of section 10-16-214 (1);"~~

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB02-1219** be referred favorably to the Committee on Appropriations.

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB02-1230** be referred to the Committee of the Whole with favorable recommendation.

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB02-1111** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, after line 9, insert the following:

"(4) THIS SECTION SHALL HAVE NO APPLICATION TO THE PRIORITY OF GENERAL MECHANICS' LIENS ARISING PURSUANT TO ARTICLE 22 OF THIS TITLE, AND THE PRIORITY OF SUCH GENERAL MECHANICS' LIENS WITH RESPECT TO A MORTGAGE WHICH SECURES FUTURE ADVANCES SHALL BE DETERMINED WITHOUT REFERENCE TO THIS SECTION.";

line 10, strike "(4)" and substitute "(5)".

MESSAGE FROM THE HOUSE

March 5, 2002  
Mr. President:

The House has adopted and transmits herewith HJR02-1019, as printed in House Journal, February 22, pages 510-511.

The House has adopted and transmits herewith HJR02-1021, as printed in House Journal, February 27, pages 625-626.

The House has adopted and transmits herewith HJR02-1023, as printed in House Journal, March 4, pages 714-715.

The House has adopted and returns herewith SJR02-009.

The House has postponed indefinitely SB02-110. The bill is returned herewith.

INTRODUCTION OF BILLS--FIRST READING

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

**SB02-181** by Senator(s) Tate; --Concerning immunity from suit for parole release hearing officers.  
Judiciary

**SB02-182** by Senator(s) Thiebaut, Hillman; also Representative(s) Paschall, Grossman--Concerning changes to borders between legislative districts due to a division of a residential parcel.  
Public Policy and Planning

**HB02-1051** by Representative(s) Romanoff, Veiga; also Senator(s) Entz--Concerning measures pertaining to employers for the protection of employees who are victims.  
Judiciary

**HB02-1324** by Representative(s) Lawrence, Alexander, Bacon, Boyd, Cadman, Chavez, Daniel, Dean, Decker, Fairbank, Garcia, Groff, Hodge, Hoppe, Jahn, Kester, King, Lee, Mace, Miller, Mitchell, Rippy, Sanchez, Snook, Spence, Spradley, Swenson, Tapia, Tochtrop, Webster, Weddig, White, Williams S., Williams T., Witwer, Young; also Senator(s) Thiebaut--Concerning establishment of a Colorado state university at Pueblo, and, in connection therewith, changing the name of the university of southern Colorado and modifying the university's role and mission.  
Public Policy and Planning

**HB02-1333** by Representative(s) Stengel; also Senator(s) Fitz-Gerald--Concerning recommendations of the house committee on finance relating to the continuation of requirements for certain reports to the general assembly from executive agencies, and, in connection therewith, repealing reporting requirements to the general assembly that are obsolete.  
Public Policy and Planning

**HB02-1336** by Representative(s) Scott; also Senator(s) Nichol--Concerning recommendations of the house committee on local government relating to the continuation of requirements for certain reports to the general assembly from executive agencies, and, in connection therewith, repealing reporting requirements to the general assembly that are obsolete.  
Public Policy and Planning

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

**HJR02-1019** by Representative(s) Snook, Alexander, Hodge, Jameson, Johnson, Kester, Miller, Plant, Tochtrop; also Senator(s) Isgar--Concerning the encouragement of federal legislation that promotes domestic agriculture.

Laid over until one day under Senate Rule 30(e).

**HJR02-1021** by Representative(s) Cloer, Crane, Daniel, Dean, Harvey, Jahn, Mace, Rhodes, Schultheis, Snook, Stafford, Williams S., Witwer; also Senator(s) Lamborn--Concerning Pregnancy and Infant Loss Remembrance Day.

Laid over until one day under Senate Rule 30(e).

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**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.

Laid over until one day under Senate Rule 30(e).

**MESSAGE FROM THE GOVERNOR**

March 5, 2002

To the Honorable  
Senate  
Sixty-third General Assembly  
Second Regular Session  
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following acts:

**S.B. 02-014** – Concerning The Authority Of The Executive Director Of The Department Of Revenue To Issue Certificates Of Registration For Certain Commercial Vehicles, And, In Connection Therewith, Authorizing The Issuance Of Such Certificates For Vehicles That Are Registered As Part Of A Fleet Based In Colorado, Owned By A Nonresident, And For Which The Owner Obtains Appointed Registration.

Approved March 5, 2002, 12:18 p.m..

**S.B. 02-025** – Concerning The Enactment Of Colorado Revised Statutes 2001 As The Positive And Statutory Law Of The State Of Colorado.

Approved March 5, 2002, 12:19 p.m.

**S.B. 02-031** – Concerning Categorization Of Custer County For Purposes Of Establishing Salaries Of County Officers.

Approved March 5, 2002, 12:21 p.m.

**S.B. 02-045** – Concerning The Reconciliation Of Inconsistent Statutory Provisions Regarding The Qualifications Of Electors For Irrigation Districts.

Approved March 5, 2002, 12:24 p.m.

Sincerely,

(Signed)  
Bill Owens  
Governor

Rec'd: 03/05/02  
K. Goldman, Secretary

**SENATE SERVICES REPORT**

Senate  
Services

Correctly printed: SB02-180.

Correctly reengrossed: SB02-132, 165, 166.

Correctly rerevised: HB02-1018, 1021, 1031, 1048, 1063, 1085, 1086, 1088, 1110, 1120.

**SIGNING OF BILLS--RESOLUTIONS--MEMORIALS**

The President has signed: **SJR02-009.**

**INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

**SJR02-011** by Senator(s) Thiebaut; also Representative(s) Cloer--Concerning honoring former Governor John Love.

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

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

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

**SJR02-011**

YES	35	NO	0	EXCUSED	0	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	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.

**COMMITTEE OF REFERENCE REPORTS**

Judiciary After consideration on the merits, the committee recommends that **HB02-1223** 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 **HB02-1071** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill page 2, strike lines 4 and 5 and substitute the following:

"(a) is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBPARAGRAPHS, to read:";

line 17, after "AND", insert "A REASONABLE SUSPICION THAT";

strike line 21 and substitute the following:

"IDENTITY WHEN THERE IS REASONABLE SUSPICION THAT THE PERSON HAS USED A DRIVERS LICENSE OR IDENTIFICATION CARD TO CREATE A FALSE IDENTITY.";

after line 24, insert the following:

"(VI) NOTHING IS SUBPARAGRAPHS (IV) OR (V) OF THIS PARAGRAPH (a) SHALL BE CONSTRUED TO REQUIRE THE DEPARTMENT TO PURCHASE OR IMPLEMENT A SYSTEM THAT CAN BE USED BY A PERSON WHO IS NOT AN EMPLOYEE, OFFICER, OR AGENT OF THE DEPARTMENT TO ACCESS IMAGE COMPARISON TECHNOLOGY.".

Judiciary After consideration on the merits, the committee recommends that **HB02-1171** be referred favorably to the Committee of the Whole and with a recommendation that it be placed on the Consent Calendar.

**MESSAGE FROM THE HOUSE**

March 6, 2002

Mr. President:

The House has adopted and transmits herewith HJR02-1024, as printed in House Journal, March 5, pages 719-720.

**INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

**HJR02-1024** by Representative(s) Madden, Plant, Saliman; also Senator(s) Tupa, Phillips--Concerning honoring Carl Wieman and Eric Cornell for creating the Bose-Einstein condensate and winning the 2001 Nobel Prize in Physics.

Senator Tupa moved to suspend Senate Rule 30(e).

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

**HJR02-1024** On motion of Senator Tupa, the Resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	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	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.

**COMMITTEE OF REFERENCE REPORTS**

Agriculture and Natural Resources After consideration on the merits, the committee recommends that **HB02-1099** be referred favorably to the Committee on Public Policy and Planning.

Education The Committee has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

STATE BOARD OF AGRICULTURE

for terms expiring January 21, 2006:

A. Fred Kerst, Ph.D. of Fort Collins, Colorado, appointed;

Charles W. Smith of Pueblo, Colorado, appointed.

Education After consideration on the merits, the committee recommends that **HB02-1316** be referred favorably to the Committee on Appropriations.

Education After consideration on the merits, the committee recommends that **HB02-1185** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, line 4, strike "(1) (a) (I)," and substitute (1) (a) (I) and (1) (a) (II),";

line 5, strike "is" and substitute "are";

line 11, strike "No" and substitute "FOR EACH SCHOOL YEAR PRIOR TO THE 2002-03 SCHOOL YEAR, no";

strike lines 13 through 20 and substitute the following:

"in kindergarten in the following academic year. FOR THE 2002-03 SCHOOL YEAR AND EACH SCHOOL YEAR THEREAFTER, A CHILD WHO IS THREE, FOUR, OR FIVE YEARS OLD AND MEETS THE CRITERIA SPECIFIED IN SUBPARAGRAPHS (II) TO (IV) OF THIS PARAGRAPH (a) AND ANY OTHER CRITERIA ESTABLISHED BY RULE MAY PARTICIPATE IN THE DISTRICT PRESCHOOL PROGRAM.

(II) No child shall participate in the district preschool program unless such child lacks overall learning readiness due to significant family risk factors, is in need of language development, including but not limited to the ability to speak English, or is receiving services from the state department of human services pursuant to article 5 of title 26, C.R.S., as a neglected or dependent child; EXCEPT THAT NO CHILD WHO IS THREE YEARS OF AGE SHALL PARTICIPATE IN THE DISTRICT PRESCHOOL PROGRAM UNLESS SUCH CHILD LACKS OVERALL LEARNING READINESS THAT IS ATTRIBUTABLE TO AT LEAST THREE OF THE SIGNIFICANT FAMILY RISK FACTORS."

Education

After consideration on the merits, the committee recommends that **SB02-063** 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.** Part 1 of article 60.5 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**22-60.5-112.5. National credential - fee assistance - one-time payments.** (1) (a) BEGINNING JULY 1, 2002, THE DEPARTMENT OF EDUCATION SHALL ASSIST PERSONS WHO ARE SEEKING NATIONAL CREDENTIALS BY PAYING A PORTION OF THE FEES CHARGED FOR SUCH NATIONAL CREDENTIAL. FEE ASSISTANCE PURSUANT TO THIS SECTION SHALL BE AVAILABLE TO ANY PERSON WHO:

(I) IS SEEKING A NATIONAL CREDENTIAL FROM AN APPROVED PROFESSIONAL ORGANIZATION AS A REQUIREMENT FOR OR IN THE COURSE OF OBTAINING MASTER TEACHER CERTIFICATION PURSUANT TO THIS ARTICLE;

(II) RECEIVES NATIONAL CREDENTIAL FEE ASSISTANCE THROUGH A FEDERAL ASSISTANCE PROGRAM;

(III) IS EMPLOYED AS A TEACHER IN A PUBLIC SCHOOL IN THIS STATE AT THE TIME OF APPLYING FOR FEE ASSISTANCE PURSUANT TO THIS SECTION; AND

(IV) APPLIES FOR NATIONAL CREDENTIAL FEE ASSISTANCE AS PROVIDED IN THIS SECTION.

(b) THE AMOUNT OF FEE ASSISTANCE PAID PURSUANT TO THIS SUBSECTION (1) SHALL BE EQUAL TO THE AMOUNT OF THE NATIONAL CREDENTIAL FEE RECEIVED BY THE APPLYING TEACHER THROUGH A FEDERAL ASSISTANCE PROGRAM.

(2) (a) TO APPLY FOR NATIONAL CREDENTIAL FEE ASSISTANCE PURSUANT TO THIS SECTION, A PERSON SHALL PRESENT TO THE DEPARTMENT OF EDUCATION THE FOLLOWING ITEMS:

(I) PROOF THAT THE PERSON HAS BEGUN THE PROCESS TO OBTAIN THE NATIONAL CREDENTIAL AND IDENTIFICATION OF THE NATIONAL CREDENTIAL PROGRAM IN WHICH THE PERSON WILL PARTICIPATE TO OBTAIN THE NATIONAL CREDENTIAL;

(II) PROOF THAT THE PERSON HAS RECEIVED OR WILL RECEIVE NATIONAL CREDENTIAL FEE ASSISTANCE THROUGH A FEDERAL ASSISTANCE PROGRAM AND THE AMOUNT OF SUCH ASSISTANCE; AND

(III) PROOF THAT THE PERSON IS EMPLOYED AS A TEACHER AT A PUBLIC SCHOOL IN THIS STATE AT THE TIME OF APPLYING FOR NATIONAL CREDENTIAL FEE ASSISTANCE.

(b) FOLLOWING RECEIPT OF THE ITEMS SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (2) AND VERIFICATION THAT THE PERSON MEETS THE CRITERIA SPECIFIED IN SUBSECTION (1) OF THIS SECTION, THE DEPARTMENT OF EDUCATION SHALL FORWARD THE FEE ASSISTANCE TO THE IDENTIFIED

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NATIONAL CREDENTIAL PROGRAM ON BEHALF OF THE PERSON IN THE AMOUNT SPECIFIED IN SUBSECTION (1) OF THIS SECTION. THE FEE ASSISTANCE SHALL BE PAID OUT OF MONEYS IN THE NATIONAL CREDENTIAL FUND CREATED IN PARAGRAPH (b) OF SUBSECTION (4) OF THIS SECTION.

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(c) IF A PERSON WHO RECEIVES FEE ASSISTANCE PURSUANT TO THIS SECTION DOES NOT COMPLETE THE NATIONAL CREDENTIAL PROGRAM FOR WHICH HE OR SHE RECEIVED SUCH ASSISTANCE, THE NATIONAL CREDENTIAL PROGRAM SHALL REFUND TO THE DEPARTMENT OF EDUCATION THE AMOUNT OF FEE ASSISTANCE PAID ON BEHALF OF SAID PERSON.

(3) (a) THE STATE BOARD OF EDUCATION SHALL PROMULGATE RULES AS NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION, INCLUDING BUT NOT LIMITED TO A RULE IDENTIFYING THOSE NATIONALLY RECOGNIZED PROFESSIONAL CREDENTIALING ORGANIZATIONS THAT ARE APPROVED FOR PURPOSES OF THIS SECTION.

(b) THE DEPARTMENT OF EDUCATION SHALL SEEK AND IS AUTHORIZED TO ACCEPT AND EXPEND ANY PUBLIC OR PRIVATE GIFTS, GRANTS, AND DONATIONS THAT MAY BE AVAILABLE TO FUND THE PURPOSES SPECIFIED IN THIS SECTION. ALL SUCH GIFTS, GRANTS, AND DONATIONS SHALL BE TRANSMITTED TO THE STATE TREASURER WHO SHALL CREDIT THE SAME TO THE NATIONAL CREDENTIAL FUND CREATED IN PARAGRAPH (b) OF SUBSECTION (4) OF THIS SECTION.

(4) (a) THE GENERAL ASSEMBLY RECOGNIZES THAT, TO OBTAIN A NATIONAL CREDENTIAL FROM AN APPROVED PROFESSIONAL ORGANIZATION, A TEACHER MUST DEMONSTRATE EXCELLENCE IN TEACHING SKILLS AND ACHIEVE A VERY HIGH LEVEL OF PERFORMANCE. THE GENERAL ASSEMBLY FURTHER RECOGNIZES THAT INCENTIVES TO ENCOURAGE TEACHERS TO OBTAIN NATIONAL CREDENTIALING WILL BENEFIT THE STUDENTS OF COLORADO BY ENCOURAGING TEACHERS TO ACHIEVE HIGHER LEVELS OF PERFORMANCE. THEREFORE, THE GENERAL ASSEMBLY HEREBY FINDS THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, PROVIDING NATIONAL CREDENTIAL FEE ASSISTANCE AND A ONE-TIME PAYMENT TO TEACHERS WHO OBTAIN A NATIONAL CREDENTIAL FROM AN APPROVED PROFESSIONAL ORGANIZATION CONSTITUTES A PERFORMANCE INCENTIVE FOR TEACHERS AND MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

(b) THERE IS HEREBY CREATED IN THE STATE TREASURY THE NATIONAL CREDENTIAL FUND, REFERRED TO IN THIS PARAGRAPH (b) AS THE "FUND". THE FUND SHALL CONSIST OF ANY MONEYS APPROPRIATED THERETO BY THE GENERAL ASSEMBLY FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION OR FROM THE STATE GENERAL FUND AND ANY MONEYS CREDITED THERETO PURSUANT TO PARAGRAPH (b) OF SUBSECTION (3) OF THIS SECTION. MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY. MONEYS APPROPRIATED FROM THE FUND SHALL BE FIRST USED FOR THE PAYMENT OF FEE ASSISTANCE PURSUANT TO THIS SECTION, AND ANY REMAINING MONEYS SHALL BE USED FOR THE PAYMENT OF ONE-TIME PAYMENTS PURSUANT TO THIS SECTION. ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. ANY AMOUNT REMAINING IN THE FUND AT THE END OF ANY FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE TRANSFERRED OR CREDITED TO THE GENERAL FUND OR TO ANY OTHER FUND.

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

(a) "APPROVED PROFESSIONAL ORGANIZATION" MEANS A NATIONALLY RECOGNIZED PROFESSIONAL CREDENTIALING ORGANIZATION THAT IS APPROVED BY RULE OF THE STATE BOARD OF EDUCATION.

(b) "NATIONAL CREDENTIAL" MEANS A CERTIFICATION OR OTHER FORM OF REGISTRATION OR CREDENTIAL ISSUED BY A NATIONALLY RECOGNIZED PROFESSIONAL CREDENTIALING ORGANIZATION. "NATIONAL CREDENTIAL" SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, CERTIFICATION BY THE NATIONAL BOARD FOR PROFESSIONAL TEACHING

STANDARDS.

**SECTION 2. Appropriation.** In addition to any other appropriation, for the fiscal year beginning July 1, 2002, there is hereby appropriated, out of any moneys in the state education fund created in section 17 (4) of article IX of the state constitution not otherwise appropriated, to the national credential fund created in section 22-60.5-112.5 (4) (b), Colorado Revised Statutes, the sum of \_\_\_\_\_ dollars (\$ ), and such sum, or so much thereof as may be necessary, is further appropriated to the department of education, for the implementation of this act.

**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. "

Education

After consideration on the merits, the committee recommends that **SB02-065** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 5, strike "GRANT".

Page 3, line 24, strike "PROVIDE GRANTS" and substitute "ALLOCATE FUNDS".

Page 4, strike lines 14 through 17;

line 18, strike "(5)" and substitute "(3)".

Page 5, after line 1, insert the following:

"(4) "PROGRAM" MEANS THE IMPROVING ACADEMIC ACHIEVEMENT PROGRAM CREATED IN SECTION 22-7-904. ";

line 2, strike "(6)" and substitute "(5)";

line 14, strike "(7)" and substitute "(6)";

line 16, strike "grant";

line 18, strike "GRANT";

line 24, strike "AWARD GRANTS" and substitute "MAKE ALLOCATIONS";

line 25, strike "SUBMITTING APPLICATIONS";

line 26, strike "GRANT" and substitute "ALLOCATION";

line 27, strike "ON".

Page 6, strike lines 1 through 5 and substitute the following:

"THE STATE BOARD, FOR THE PURPOSE OF MAKING ALLOCATIONS TO EACH SCHOOL DISTRICT PURSUANT TO THIS PART 9, SHALL ANNUALLY DETERMINE A STATEWIDE ALLOCATION FACTOR WHICH SHALL BE CALCULATED AS THE TOTAL NUMBER OF DISADVANTAGED CHILDREN ENROLLED IN THE PUBLIC SCHOOLS OF THE STATE DIVIDED BY THE AMOUNT OF MONEYS CREDITED TO THE IMPROVING ACADEMIC ACHIEVEMENT FUND, CREATED IN SECTION 22-7-907. THE STATE BOARD SHALL CALCULATE THE ALLOCATION FOR EACH SCHOOL DISTRICT BY MULTIPLYING THE NUMBER OF DISADVANTAGED CHILDREN ENROLLED IN THE SCHOOL DISTRICT BY THE STATEWIDE ALLOCATION FACTOR. ";

strike line 8 and substitute the following:

"TITLE, EACH SCHOOL DISTRICT'S USE OF THE MONEYS ALLOCATED PURSUANT";

line 9, strike "GRANT" and substitute "ALLOCATION";

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line 10, strike "AWARDED";

line 11, strike "RECIPIENT'S GRANT" and substitute "SCHOOL DISTRICT'S ACCREDITATION CONTRACT ENTERED INTO PURSUANT TO SECTION 22-11-201,";

line 12, strike "APPLICATION,";

strike line 14 and substitute the following:

"(c) ALLOCATIONS MADE THROUGH THE PROGRAM SHALL BE";  
line 17, strike "GRANT";

line 21, strike "GRANT";

line 22, strike "GRANT";

line 26, strike "GRANT".

Page 7, strike lines 3 through 11 and substitute the following:

**"22-7-905. Improving academic achievement program - application.** (1) EACH ACCREDITATION CONTRACT ENTERED INTO PURSUANT TO SECTION 22-11-201 SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING TERMS:".

Page 8, strike lines 9 through 27 and substitute the following:

"(d) THE SPECIFIC, MEASURABLE GOALS THAT THE SCHOOL DISTRICT EXPECTS TO ACHIEVE IN IMPLEMENTING PROFESSIONAL DEVELOPMENT PURSUANT TO THIS PART 9, INCLUDING MEASURABLE IMPROVEMENT IN THE ACADEMIC ACHIEVEMENT OF DISADVANTAGED CHILDREN.

(2) IN ADDITION, EACH ACCREDITATION CONTRACT ENTERED INTO PURSUANT TO SECTION 22-11-201 MAY INCLUDE A PLAN OF COOPERATION BETWEEN THE SCHOOL DISTRICT AND A COLORADO INSTITUTION OF HIGHER EDUCATION IN IMPLEMENTING PROFESSIONAL DEVELOPMENT PURSUANT TO THIS PART 9 AND IN THE DELIVERY OF RELEVANT TECHNOLOGY.

**22-7-906. Improving academic achievement program - accreditation reports.** EACH SCHOOL DISTRICT RECEIVING AN ALLOCATION PURSUANT TO THIS PART 9 SHALL INCLUDE IN ITS ANNUAL ACCREDITATION REPORT SUBMITTED PURSUANT TO SECTION 22-11-105, INFORMATION REGARDING THE SCHOOL DISTRICT'S PROGRESS IN IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED STUDENTS ENROLLED IN THE SCHOOL DISTRICT."

Page 9, strike lines 1 through 9;

strike line 13, and substitute the following:

"IN THIS SECTION AS THE "FUND", FOR THE PURPOSE OF MAKING ALLOCATIONS";

line 23, strike "GRANT".

Page 10, strike lines 5 through 15 and substitute the following:

**"22-7-908. Application for federal moneys.** THE DEPARTMENT SHALL MAKE APPLICATION FOR ANY AND ALL MONEYS THAT MAY BE RECEIVED FROM THE FEDERAL GOVERNMENT THROUGH THE FEDERAL "NO CHILD LEFT BEHIND ACT OF 2001", PUBLIC LAW 107-110, TO PAY FOR COSTS ASSOCIATED WITH THE IMPLEMENTATION OF PROFESSIONAL DEVELOPMENT AND THE IMPROVEMENT IN ACADEMIC ACHIEVEMENT OF DISADVANTAGED CHILDREN.

**SECTION 2.** 22-11-104 (2) (h) and (2) (i), Colorado Revised Statutes, are amended, and the said 22-11-104 (2) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**22-11-104. Accreditation indicators. (2) Contents.** The

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accreditation indicators shall include but shall not be limited to the following:

(h) Results of the school district tests administered pursuant to section 22-7-407; and

(i) The percentage of students whose dominant language is not English; AND

(j) IMPROVEMENT IN THE ACADEMIC ACHIEVEMENT OF DISADVANTAGED STUDENTS AS DESCRIBED IN PART 9 OF ARTICLE 7 OF THIS TITLE.

**SECTION 3.** 22-11-201 (4) (a) (V), Colorado Revised Statutes, is amended, and the said 22-11-201 (4) (a) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

**22-11-201. Accreditation contract. (4) Contract requirements - management.** (a) The accreditation contract shall contain, at a minimum, the following terms:

(V) Provisions for allowing annual comparisons between the school board assessment results and the statewide assessment results; AND

(VI) INFORMATION REGARDING PROFESSIONAL DEVELOPMENT DESIGNED TO IMPROVE THE ACADEMIC ACHIEVEMENT OF DISADVANTAGED STUDENTS PURSUANT TO PART 9 OF ARTICLE 7 OF THIS TITLE.";

line 16, strike "**SECTION 2.**" and substitute "**SECTION 4.**";

after line 17, insert the following:

**"SECTION 5. Transfer of appropriation.** From the appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2002, to the department of education, the sum of two million dollars (\$2,000,000) is hereby transferred to the department of education for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 101, strike "**GRANT**".

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**MESSAGE FROM THE HOUSE**

March 6, 2002

Mr. President:

The House has adopted and returns herewith SJR02-011.

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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 calendar of Wednesday, March 6, was laid over until Thursday, March 7, retaining its place on the calendar.

Third Reading--Final Passage of Bills-- **SB02-001.**

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, HJR02-1008, SJR02-004, HJR02-1005, SJR02-006, HJR02-1015, HJR02-1022.**

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., Thursday, March 7, 2002.

Approved: 1  
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Stan Matsunaka 4  
President of the Senate 5  
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Attest:

Karen Goldman  
Secretary of the Senate