

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

Twenty-Seventh Legislative Day

Monday, February 4, 2002

Prayer By Senator Taylor.

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

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

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Takis, reading of the Journal of Friday, February 1, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Government Veterans and Military Relations and Transportation After consideration on the merits, the committee recommends that **SB02-122** be referred favorably to the Committee of the Whole and with a recommendation that it be placed on the Consent Calendar.

Government Veterans and Military Relations and Transportation The committee has had under consideration and has had a hearing on the following appointments and recommend the appointments be confirmed.

FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for a term expiring September 1, 2005:

Todd A. Bower of Denver, Colorado, to serve as a full-time paid firefighter, appointed.

Government Veterans and Military Relations and Transportation After consideration on the merits, the committee recommends that **SB02-026** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, after line 1, insert the following:

"SECTION 1. 31-30.5-209 (4) (c), Colorado Revised Statutes, is amended to read:

31-30.5-209. Idle funds. (4) (c) If a plan fund does not provide any type of cost-of-living benefit to persons receiving benefits from the plan fund, the assets in the plan fund shall be used to provide an annual adjustment to the pension benefits for such persons prior to using the excess balance in the plan fund as provided in paragraph (a) of this subsection (4) and prior to purchasing annuities as provided in paragraph (b) of this subsection (4). The minimum annual adjustment shall be calculated in the same manner as the annual adjustment to total disability benefits provided for members of the statewide death and disability plan pursuant to ~~section 31-31-407 (2) (b) and (3)~~ **SECTIONS 31-31-407 (3) AND 31-31-803 (6) (b) (II)**; except that the effective date of the benefit for purposes of the formula set forth in said section shall be the date on which the board provides the annual adjustment required under this paragraph (c)."

SB02-026

Renumber succeeding sections accordingly.

Page 8, line 22, after "SALARY", insert "BEING".

Page 9, line 15, after "SALARY", insert "BEING".

Page 13, line 8, strike "option 1" and substitute "option 1 OPTION 3".

Page 17, line 7, after "WAS", insert "BEING";

line 20, strike "OF THE STATEWIDE DEFINED BENEFIT PLAN OR A";

line 21, strike "LOCAL DEFINED BENEFIT PLAN";

line 23, strike "RETIREMENT UNDER THE DEFINED BENEFIT PLAN," and substitute "RETIREMENT,";

line 26, strike "DEFINED BENEFIT" and substitute "NORMAL RETIREMENT";

line 27, after "WAS", insert "BEING".

Page 18, line 3, strike "DEFINED BENEFIT" and substitute "RETIREMENT";

line 8, strike "STATEWIDE OR";

line 9, strike "LOCAL DEFINED BENEFIT" and substitute "MEMBER'S NORMAL RETIREMENT".

Page 20, strike line 27 and substitute the following:

SECTION 11. The introductory portion to 31-31-807.5 (1) (a), 31-31-807.5 (1) (a) (II) (A), and the introductory portion to 31-31-807.5 (1) (b), Colorado Revised Statutes, as they will become effective January 1, 2002, are amended, and the said 31-31-807.5 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:".

Page 21, strike lines 1 through 4;

line 13, after "in", insert "EITHER" and after "paragraph (b)", insert "OR (c)";

line 18, strike "One" and substitute "EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION (1), one";

strike lines 20 through 27.

Page 22, strike lines 1 through 25 and substitute the following:

"(c) FOR SURVIVORS WHO BECOME ELIGIBLE FOR SURVIVOR BENEFITS ON OR AFTER OCTOBER 15, 2002, ONE OF THE FOLLOWING SURVIVOR BENEFITS SHALL BE PAID IF THE REQUIREMENTS OF PARAGRAPH (a) OF THIS SUBSECTION (1) ARE SATISFIED:

(I) THE MONTHLY BENEFIT WHEN THERE IS A SURVIVING SPOUSE, EITHER WITH OR WITHOUT CHILDREN, SHALL BE SEVENTY PERCENT OF THE MONTHLY BASE SALARY BEING PAID TO SUCH MEMBER IMMEDIATELY PRECEDING DEATH.

(II) THE MONTHLY BENEFIT WHEN THERE IS NO SURVIVING SPOUSE BUT A SURVIVING CHILD OR CHILDREN SHALL BE:

(A) SEVENTY PERCENT OF THE MONTHLY BASE SALARY BEING PAID TO SUCH MEMBER IMMEDIATELY PRIOR TO DEATH IF THE CHILD OR CHILDREN WERE LIVING IN THE MEMBER'S HOME AT THE TIME OF THE MEMBER'S DEATH; OR

(B) FORTY PERCENT OF THE MONTHLY BASE SALARY BEING PAID TO SUCH MEMBER IMMEDIATELY PRIOR TO DEATH FOR ONE CHILD AND FIFTEEN PERCENT FOR EACH ADDITIONAL CHILD; EXCEPT THAT THE TOTAL BENEFIT RECEIVED SHALL NOT BE GREATER THAN SEVENTY PERCENT OF THE MONTHLY BASE SALARY IF THE CHILD OR CHILDREN WERE NOT LIVING

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SB02-026

IN THE MEMBER'S HOME AT THE TIME OF THE MEMBER'S DEATH.";

after line 25, insert the following:

"SECTION 12. 31-31-807.5 (5), (6), and (7), Colorado Revised Statutes, as they will become effective January 1, 2002, are amended, and the said 31-31-807.5 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:";

strike line 26 and substitute the following:

"31-31-807.5. Death of member - line-of-duty - survivor benefits. (1.5) (a) ON OR AFTER OCTOBER 1, 2001, IF A MEMBER DIES WHILE IN ACTIVE SERVICE AS THE".

Page 23, line 22, strike "SATISFIED:" and substitute "SATISFIED AND IF THE SURVIVOR BENEFIT CURRENTLY RECEIVED PURSUANT TO SUBPARAGRAPH (I), (II), OR (III) OF PARAGRAPH (a) OF THIS SUBSECTION (1.5) IS LESS THAN SEVENTY PERCENT OF THE MONTHLY BASE SALARY BEING PAID TO THE MEMBER IMMEDIATELY PRECEDING DEATH:".

Renumber succeeding sections accordingly.

Page 24, line 10, after "SALARY", insert "BEING";

line 16, after "SALARY", insert "BEING".

Government Veterans and Military Relations and Transportation

After consideration on the merits, the committee recommends that SB02-011 be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 3, after "(2), insert "(a)";

line 9, strike "G." and substitute "G, AS SUCH SUBPART EXISTED ON OCTOBER 1, 2001. PERSONS WHO UTILIZE AN INDEPENDENT CONTRACTOR SHALL NOT BE LIABLE FOR PENALTIES IMPOSED ON THE INDEPENDENT CONTRACTOR FOR EQUIPMENT, ACTS, AND OMISSIONS WITHIN THE INDEPENDENT CONTRACTOR'S CONTROL OR SUPERVISION.";

after line 12, insert the following:

"(b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (2):

(I) INTRASTATE MOTOR CARRIERS SHALL NOT BE SUBJECT TO ANY PROVISIONS IN 49 CFR, PART 386, SUBPART G THAT RELATE THE AMOUNT OF A PENALTY TO A VIOLATOR'S ABILITY TO PAY, AND SUCH PENALTIES SHALL BE BASED UPON THE NATURE AND GRAVITY OF THE VIOLATION, THE DEGREE OF CULPABILITY, AND SUCH OTHER MATTERS AS JUSTICE AND PUBLIC SAFETY MAY REQUIRE;

(II) WHEN DETERMINING THE ASSESSMENT OF A CIVIL PENALTY FOR SAFETY VIOLATIONS, THE PERIOD OF A MOTOR CARRIER'S SAFETY COMPLIANCE HISTORY THAT A COMPLIANCE REVIEW OFFICER MAY CONSIDER SHALL NOT EXCEED THREE YEARS; AND

(III) THE INTRASTATE OPERATION OF IMPLEMENTS OF HUSBANDRY SHALL NOT BE SUBJECT TO THE CIVIL PENALTIES PROVIDED IN 49 CFR, PART 386, SUBPART G. NOTHING IN THIS SUBSECTION (2) SHALL BE CONSTRUED TO REPEAL, PREEMPT, OR NEGATE ANY EXISTING REGULATORY EXEMPTION FOR AGRICULTURAL OPERATIONS, INTRASTATE FARM VEHICLE DRIVERS, INTRASTATE VEHICLES OR COMBINATIONS OF VEHICLES WITH A GROSS VEHICLE WEIGHT RATING OF NOT MORE THAN TWENTY-SIX THOUSAND POUNDS THAT DO NOT REQUIRE A COMMERCIAL DRIVER'S LICENSE TO OPERATE, OR ANY SUCCESSOR OR ANALOGOUS AGRICULTURAL EXEMPTIONS, WHETHER BASED ON FEDERAL OR STATE LAW. "

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SENATE SERVICES REPORT

Senate Services

Correctly engrossed: SB02-002, 028, 030, 072, 108.

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:

SB02-108

by Senator Reeves; also Representative Young--Concerning an increase in the transfer of moneys from the general fund to the capital construction fund for the 2001-2002 fiscal year necessary to achieve the amount of reductions in the funding of capital projects prescribed by Senate Bill 01S2-023 enacted during the second extraordinary session of the sixty-third general assembly to address the anticipated revenue shortfall for said fiscal year.

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

Table with 8 columns: YES (35), NO (0), EXCUSED (0), ABSENT (0), and names of senators/representatives (Anderson, Andrews, Arnold, Cairns, Chlouber, Dyer, Entz, Epps, Evans, Fitz-Gerald, Gordon, Hagedorn, Hanna, Hernandez, Hillman, Isgar, Lamborn, Linkhart, May, McElhany, Musgrave, Nichol, Owen, Pascoe, Perlmutter, Phillips, Reeves, Takis, Tate, Taylor, Teck, Thiebaut, Tupa, Windels, Mr. President).

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

SB02-072

by Senator Hernandez; also Representative Larson--Concerning the authority of the department of revenue to identify fleet motor vehicles by means of special license plates.

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

Table with 8 columns: YES (35), NO (0), EXCUSED (0), ABSENT (0), and names of senators/representatives (Anderson, Andrews, Arnold, Cairns, Chlouber, Dyer, Entz, Epps, Evans, Fitz-Gerald, Gordon, Hagedorn, Hanna, Hernandez, Hillman, Isgar, Lamborn, Linkhart, May, McElhany, Musgrave, Nichol, Owen, Pascoe, Perlmutter, Phillips, Reeves, Takis, Tate, Taylor, Teck, Thiebaut, Tupa, Windels, Mr. President).

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

Co-sponsor added: Isgar

SB02-002

by Senator Matsunaka; also Representative (None)--Concerning stimulation of Colorado's rural economy, and, in connection therewith, creating a state procurement preference for Colorado producers of agricultural products, requiring new enterprise zones to be located in rural areas, and creating an interim committee to study potential new markets for agricultural products.

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

SB02-028

by Senator Windels; also Representative Fairbank--Concerning the appointment of county surveyors when a vacancy occurs.

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

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SB02-028

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		

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

Co-sponsor added: Pascoe, Perlmutter.

SB02-030

by Senator Teck; also Representative Sinclair--Concerning compensation of county officers.

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

YES	16	NO	19	EXCUSED	0	ABSENT	0
Anderson	N	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	N	Gordon	N	McElhany	N	Tate	N
Arnold	N	Hagedorn	Y	Musgrave	N	Taylor	N
Cairns	N	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	N	Hernandez	N	Owen	N	Thiebaut	Y
Dyer	N	Hillman	N	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	N	Windels	Y
Epps	N	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	N	Linkhart	Y	Reeves	Y		

Less than a majority of all members elected to the Senate having voted in the affirmative, the bill was declared **lost**.

NOTICE OF INTENT TO MOVE FOR RECONSIDERATION

SB02-030

by Senator Teck; also Representative Sinclair--Concerning compensation of county officers.

Having voted on the prevailing side, Senator Hillman gave notice of intent to move for reconsideration of **SB02-030**.

**CHANGE TO THE GENERAL ORDERS--SECOND READING OF BILLS--
CONSENT CALENDAR**

SB02-051

by Senator Windels; also Representative Spence--Concerning changing the charter school application deadline.

Upon request of Senator Evans, **SB01-051** was removed from the February 4, General Orders--Second Reading of Bills--Consent Calendar and was placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, February 5.

SB02-076

by Senator Taylor; also Representative Cloer--Concerning the authority to increase the assessment capacity of the Colorado guaranty fund from one percent to two percent to cover claims of insolvent member insurers.

Upon request of Senator Owen, **SB01-076** was removed from the February 4, General Orders--Second Reading of Bills--Consent Calendar and was placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, February 5.

Committee of the Whole

On motion of Senator Linkhart, the Senate resolved itself into the Committee of the Whole for consideration of General Orders and Senator Linkhart was called to the Chair to act as Chairman.

**GENERAL ORDERS--SECOND READING OF BILLS--
CONSENT CALENDAR**

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:

SB02-054 by Senator Phillips; also Representative Spence--Concerning sources of information for the master juror list.

Laid over until the next Consent Calendar Tuesday, February 5, retaining its place on the calendar.

SB02-037 by Senator Anderson; also Representative Williams T.--Concerning repeal of the state crime victim compensation fund, and, in connection therewith, repealing all requirements related to the state crime victim compensation fund.

Ordered engrossed and placed on the calendar for Third Reading and Final Passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Linkhart, 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: **SB02-037**.
Laid over until Tuesday, February 5: **SB02-054**.

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 (**HJR02-1006**).

CONSIDERATION OF RESOLUTIONS

HJR02-1006 by Representative Fritz; also Senator Takis--Concerning the Colorado Legislative Sportsmen's Caucus.

On motion of Senator Takis, the Resolution was **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: Anderson, Andrews, Arnold, Cairns, Chlouber, Dyer, Entz, Epps, Evans, Fitz-Gerald, Gordon, Hagedorn, Hanna, Hernandez, Hillman, Isgar, Lamborn Linkhart, Matsunaka, May, McElhany, Musgrave, Nichol, Owen, Pascoe, Perlmutter, Phillips, Reeves, Tate, Taylor, Teck, Thiebaut, Windels.

MESSAGE FROM THE HOUSE

February 4, 2002

Mr. President:

The House has adopted and transmits herewith: HJR02-1013

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR02-1013 by Representative(s) Hoppe; also Senator(s) Taylor--Concerning the designation of Colorado 4-H Day.

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

HJR02-1013 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.

On motion of Senator Taylor, 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 the Whole On motion of Senator Linkhart, the Senate resolved itself into the Committee of the Whole for consideration of General Orders and Senator Linkhart 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:

SB02-032 by Senator Teck; also Representative Berry--Concerning the extension of the period that a portion of municipal taxes may be allocated to a special fund to pay indebtedness related to a downtown development authority.

Ordered engrossed and placed on the calendar for Third Reading and Final Passage.

SB02-044 by Senator Entz; also Representative Snook--Concerning the limits on the time when a black bear may be taken.

Laid over until Tuesday, February 5, retaining its place on the calendar.

SB02-004 by Senator Isgar; also Representative Larson--Concerning the ability to allow the liquor industry to provide financial assistance to an institution of higher education that holds a liquor license.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, January 22, page 44 and placed in members' bill file.)

Amendment No. 2(L.004), by Senator Isgar.

Amend the Education Committee Report, dated January 17, 2002, page 1, strike line 1 and substitute the following:

"Amend printed bill, page 2, strike line 2 and substitute the following:

"SECTION 1. 12-47-308 (1) (b) and (3) (b), Colorado Revised Statutes, are";

line 11, after "INSTITUTION," insert "OR TO AN INSTITUTION OF HIGHER EDUCATION AS DEFINED IN SECTION 23-3.7-102, C.R.S., THAT IS OPERATING PURSUANT TO 26 U.S.C. SEC. 501 (c)(3) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED,";

line 12, strike "TITLE." and substitute "TITLE,";

before line 7, insert the following:

"after line 12, insert the following:

"(3) (b) Notwithstanding the provisions of paragraph (a) of this subsection (3), a nonprofit arts organization that has been issued an arts license pursuant to section 12-47-417 OR TO A STATE INSTITUTION OF

SB02-004

HIGHER EDUCATION AS DEFINED IN SECTION 23-1-123 (7) (d), C.R.S., OR THE GOVERNING BOARD OF SUCH INSTITUTION, OR TO AN INSTITUTION OF HIGHER EDUCATION AS DEFINED IN SECTION 23-3.7-102, C.R.S., THAT IS OPERATING PURSUANT TO 26 U.S.C. SEC. 501 (c)(3) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, IF THE INSTITUTION HAS BEEN ISSUED A LICENSE PURSUANT TO ARTICLE 46, 47, OR 48 OF THIS TITLE, may receive financial or in-kind assistance, directly or indirectly, from the persons or parties described and referred to in subsection (1) (a) of this section." .".

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

SB02-040

by Senator Pascoe; also Representative Stafford--Concerning the safety of children's products.

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

Amend printed bill, page 4, line 22, strike "REASON BY AN" and substitute "SAFETY REASON BY:";

strike lines 23 through 26 and substitute the following:

"(A) THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION OR THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, OR THEIR SUCCESSORS, AND THE RECALL HAS NOT BEEN RESCINDED; OR

(B) THE PRODUCT'S MANUFACTURER, DISTRIBUTOR, OR IMPORTER, AND THE RECALL HAS NOT BEEN RESCINDED AND THE RECALL HAS BEEN PUBLICIZED ON THE WEBSITE OF THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION OR THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, OR THEIR SUCCESSORS;

(II) THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION OR THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, OR THEIR SUCCESSORS, HAS ISSUED A "

Page 6, line 6, strike "JULY 1, 2002," and substitute "JANUARY 1, 2003,";

line 7, after "PREMISES", insert "A CHILDREN'S PRODUCT THAT SUCH FACILITY KNOWS OR SHOULD KNOW IS";

strike lines 11 through 18;

line 19, strike "(c)" and substitute "(b)";

strike lines 24 through 27.

Page 7, strike line 1.

Amendment No. 2(L.003), by Senator Pascoe.

Amend printed bill, page 4, line 4, strike "OR FOOD," and substitute "FOOD, OR OTHER PRODUCT REGULATED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION".

Amendment No. 3(L.004), by Senator Pascoe.

Amend printed bill, page 5, strike lines 10 through 13, and substitute the following:

"(4) (a) A MANUFACTURER SHALL LABEL CHILDREN'S PRODUCTS AS REQUIRED BY THE REGULATIONS OF THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION PURSUANT TO 16 C.F.R. PARTS 1500 AND 1505, AS AMENDED."

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

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SB02-069 by Senator Hillman; also Representative Hoppe--Concerning the protection of products of agriculture.

Laid over until Tuesday, February 5, retaining its place on the calendar.

SB02-006 by Senator Hanna; also Representative Witwer--Concerning workers' compensation coverage for public safety personnel exposed to hepatitis C.

Amendment No. 1, Health, Environment, Children & Families Committee Amendment.
(Printed in Senate Journal, January 24, page 66 and placed in members' bill file.)

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

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders--Second Reading of Bills Calendar (**SB02-041, SCR02-002, SB02-095, SCR02-001, SB02-055, SB02-102, SB02-049, SB02-007, SB02-036, SB02-064, HB02-1007, SB02-038, SB02-015**) of Monday, February 4, was laid over until Tuesday, February 5, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Linkhart, 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: **SB02-032, SB02-004** as amended, **SB02-040** as amended, **SB02-006** as amended.

Laid over until Tuesday, February 5: **SB02-044, SB02-069, SB02-006, SB02-041, SCR02-002, SB02-095, SCR02-001, SB02-055, SB02-102, SB02-049, SB02-007, SB02-036, SB02-064, HB02-1007, SB02-038, SB02-015.**

MESSAGE FROM THE HOUSE

February 4, 2002

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes: HB02-1088, amended as printed in House Journal, January 31, page 251; HB02-1047, amended as printed in House Journal, February 1, page 280; HB02-1019, amended as printed in House Journal, February 1, page 280; HB02-1136, amended as printed in House Journal, February 1, page 281; HB02-1086, amended as printed in House Journal, February 1, page 281; HB02-1144, amended as printed in House Journal, February 1, page 282; HB02-1078, amended as printed in House Journal, February 1, page 282.

MESSAGE FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB02-1088, 1047, 1019, 1136, 1086, 1144, and 1078.

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, February 4, was laid over until Tuesday, February 5, retaining its place on the calendar.

Consideration of Resolutions: **HJR02-1003, SR02-005, HJR02-1009.**

Consideration of Governor's Appointments:

Colorado Water Resources and Power Development Authority
Financial Services Board
State Board of Equalization
Juvenile Parole Board

On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., Tuesday, February 5, 2002.

Approved:

Stan Matsunaka
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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