

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

One-Hundredth Legislative Day

Thursday, April 18, 2002

Prayer By the chaplain, Reverend Paul Kottke, University Park United Methodist Church. 10
11
12
Call to Order By the President at 9:00 a.m. 13
14
15
Roll Call Present--Total, 31. 16
Absent/Excused--Evans, Hernandez, Matsunaka, Thiebaut--Total, 4. 17
Present later--Evans, Hernandez, Matsunaka, Thiebaut. 18
19
Quorum The President announced a quorum present. 20
21
Reading of Journal On motion of Senator Tupa, reading of the Journal of Wednesday, April 17, was dispensed 22
with and the Journal was approved as corrected by the Secretary. 23
24
25

MESSAGE FROM THE HOUSE

April 17, 2002

Mr. President:

In response to the request of the Senate, the Speaker has appointed Representatives Spradley, chairman, Sinclair, and Miller as House conferees on the First Conference Committee on SB02-099. 32
33
34
35

In response to the request of the Senate, the Speaker has appointed Representatives King, chairman, Spence, and Plant as House conferees on the First Conference Committee on SB02-113. 36
37
38
39

The House has postponed indefinitely SB02-073. The bill is returned herewith. 40
41

The House has voted to concur in the Senate amendments to HB02-1089, 1269, and has repassed the bills as so amended. 42
43
44
45

SENATE SERVICES REPORT

Senate Services Correctly engrossed: SB02-010, 074, 081, 094, 115, 119, 134, 198. 47
48
49
Correctly revised: HB02-1066, 1176, 1219, 1246, 1284, 1316, 1330, 1352. 50
51
Correctly rerevised: HB02-1349, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 52
1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1441, 1442, 53
1443, 1444, 1445, 1446. 54
55
Correctly enrolled: SJR02-031. 56
57
58

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: SJR02-031; HB02- 1078, 1111, 1144, 1162, 1305. 60
61
62
63

**CHANGES TO THE THIRD READING--FINAL PASSAGE OF BILLS
CONSENT CALENDAR**

HB02-1352 by Representative Hoppe; also Senator Isgar--Concerning recommendations of the house 67
committee on agriculture, livestock, and natural resources relating to the continuation of 68
requirements for certain reports to the general assembly from executive agencies, and, in 69
connection therewith, repealing reporting requirements to the general assembly that are 70
obsolete. 71
72

Senator Isgar requested that **HB02-1352** be removed from the Third Reading--Final Passage of Bills Consent Calendar.

Senator Thiebaut moved to suspend Senate rule 25A(c) to place **HB02-1352** at the end of the Third Reading--Final Passage of Bills Calendar of Thursday, April 18.

A majority of those elected to the Senate having voted in the affirmative, Senate rule 25A(c) was suspended.

**THIRD READING--FINAL PASSAGE OF BILLS
CONSENT CALENDAR**

On Third Reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB02-1330 by Representative Stengel; also Senator Dyer--Concerning changes to the amount of the cash value of life insurance that is exempt from attachment by creditors.

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

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	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Evans	E	Linkhart	Y	Reeves	Y		

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

SB02-198 by Senator Reeves; also Representative Mitchell--Concerning the administrative repeal of those portions of state law regarding the clean vehicle fleet program that are no longer enforceable as a part of Colorado's state implementation plan.

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

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	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Evans	E	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: Epps.

HB02-1176 by Representative(s) Alexander, Larson; also Senator Tate--Concerning the requirement that Colorado state individual income tax return forms contain a line whereby individual taxpayers may make a voluntary contribution to the Colorado court-appointed special advocates fund, and making an appropriation in connection therewith.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
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
72

HB02-1176

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	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Evans	E	Linkhart	Y	Reeves	Y		

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

HB02-1066

by Representative Swenson; also Senator May--Concerning measures that will stabilize the cash flow associated with the issuance of license plates.

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

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	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Evans	E	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Perlmutter, Taylor.

HB02-1316

by Representative Harvey; also Senator Tupa--Concerning repayment of loans issued through the interest-free loan program to alleviate cash flow management problems for school districts.

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

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	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Evans	E	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: Phillips.

HB02-1219

by Representative Larson; also Senator Hernandez--Concerning frivolous state income tax returns.

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

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	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Evans	E	Linkhart	Y	Reeves	Y		

HB02-1219 A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

HB02-1284 by Representative(s) Grossman, Sinclair; also Senator Isgar--Concerning the authorization of need-based grants for veterans to defray the costs of attendance at the dedication of the world war II memorial in Washington, D.C.

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

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	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Evans	E	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Arnold, Entz, Epps, Fitz-Gerald, Hagedorn, Hernandez, Lamborn, Musgrave, Perlmutter, Phillips, Taylor, Teck.

HB02-1246 by Representative King; also Senator Windels--Concerning the creation of the eligible facilities education task force.

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

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	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Evans	E	Linkhart	Y	Reeves	Y		

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

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:

SB02-081 by Senator(s) Hagedorn, Takis; also Representative(s) Boyd, Tochtrop--Concerning measures to enhance the availability of prescription drugs, and, in connection therewith, providing for subsidies to senior citizens for pharmaceutical services, requiring the state to enter into regional bulk purchasing agreements for prescription drugs, expanding the medicaid reimbursement rate to persons eligible for medicare, and enhancing medical assistance practices for the management of chronic illness.

Laid over until later in the day, Thursday, April 18.

SB02-119 by Senator Thiebaut; also Representative Spence--Concerning statutory provisions governing publicly-supported libraries.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
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
72

SB02-119

YES	29	NO	4	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	N	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	N	Taylor	Y
Cairns	N	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	N	Phillips	Y	Mr. President	E
Evans	E	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Entz, Epps, Fitz-Gerald, Hernandez, Nichol, Phillips, Tate, Taylor, Teck, Windels.

SB02-074

by Senator Linkhart; also Representative Veiga--Concerning the expansion of employment nondiscrimination protections.

Laid over until later in the day, Thursday, April 18.

SB02-115

by Senator Hernandez; also Representative Groff--Concerning a demographic study of the state's prison population.

Laid over until later in the day, Thursday, April 18.

SB02-134

by Senator Hagedorn; also Representative Tochtrop--Concerning measures to reduce the shortage of nurses in Colorado.

Laid over until later in the day, Thursday, April 18.

SB02-010

by Senator Anderson; also Representative Veiga--Concerning sex offender registration, and making an appropriation in connection therewith.

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

YES	33	NO	1	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	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	N
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	E
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-sponsors added: Arnold, Chlouber, Dyer, Entz, Epps, Fitz-Gerald, Gordon, Hernandez, Lamborn, Nichol, Phillips, Taylor, Teck, Tupa.

SB02-094

by Senator Anderson; also Representative Spence--Concerning accountability for alternative schools.

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

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	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	E
Evans	Y	Linkhart	Y	Reeves	Y		

SB02-094 A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**. 1
2

Co-sponsors added: Entz, Hagedorn, Hernandez, Taylor. 3
4

HB02-1352 by Representative Hoppe; also Senator Isgar--Concerning recommendations of the house committee on agriculture, livestock, and natural resources 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. 5
6
7
8
9
10

Laid over until later in the day, Thursday, April 18. 11
12

Committee of the Whole On motion of Senator Gordon, the Senate resolved itself into Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Gordon was called to the Chair to act as Chairman. 13
14
15
16
17

GENERAL ORDERS--SECOND READING OF BILLS 18
19

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: 20
21
22
23

SB02-162 by Senator Tate--Concerning the provision of prescription drug coverage, and, in connection therewith, creating a prescription card program that relies on negotiated prices and creating uniform prescription information cards. 24
25
26
27

Amendment No. 1, Health, Environment, Children & Families Committee Amendment.
(Printed in Senate Journal, February 15, page 284 and placed in members' bill file.) 28
29
30

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 15, page 840-844 and placed in members' bill file.) 31
32
33

Amendment No. 3(L.004), by Senator Tate. 34
35

Amend the Appropriations Committee Report, dated April 12, 2002, page 2, after line 19, insert the following: 36
37
38

"line 18, after the period, insert the following: 39
40

"ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE PRESCRIPTION CARD PROGRAM CASH FUND SHALL BE CREDITED TO THE FUND AND SHALL NOT REVERT TO THE GENERAL FUND."." 41
42
43
44
45

As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 46
47

SB02-009 by Senator Tate; also Representative Larson--Concerning the expansion of the crime of ethnic intimidation, and, in connection therewith, providing for training, changing the name of the crime to a bias-motivated crime, and making an appropriation. 48
49
50
51

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, page 737 and placed in members' bill file.) 52
53
54

As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 55
56
57

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 (**HB02-1300, HB02-1313, HB02-1324, SB02-042, SB02-089, SB02-157, SB02-184, SB02-080, SB02-177, HB02-1339, HB02-1180, HB02-1232, HB02-1173, HB02-1098, HB02-1129, SB02-193, SB02-171, SB02-195, SB02-183, SB02-201, HB02-1186, HB02-1084, HB02-1165, HB02-1152, HB02-1306, HB02-1353, SB02-204, SB02-191, HB02-1036, HB02-1090, HB02-1119, HB02-1159, HB02-1160, HB02-1321, HB02-1338**) of Thursday, April 18, was laid over until Friday, April 19, retaining its place on the calendar. 58
59
60
61
62
63
64
65
66
67

1
2
3
4
5
6
7
8
9
10
11
12
13
14
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
72

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Gordon, the Report of the Committee of the Whole was adopted and, a majority of all members elected to the Senate having voted in the affirmative, the following action was taken:

Passed on Second Reading: **SB02-162** as amended, **SB02-009** as amended.
Laid over until Friday, April 19: **HB02-1300, HB02-1313, HB02-1324, SB02-042, SB02-089, SB02-157, SB02-184, SB02-080, SB02-177, HB02-1339, HB02-1180, HB02-1232, HB02-1173, HB02-1098, HB02-1129, SB02-193, SB02-171, SB02-195, SB02-183, SB02-201, HB02-1186, HB02-1084, HB02-1165, HB02-1152, HB02-1306, HB02-1353, SB02-204, SB02-191, HB02-1036, HB02-1090, HB02-1119, HB02-1159, HB02-1160, HB02-1321, HB02-1338.**

MESSAGE FROM THE HOUSE

April 18, 2002

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes **HB02-1417**.

The House has passed on Third Reading and transmitted to the Revisor of Statutes **HB02-1044**, amended as printed in House Journal, April 17, pages 1387-1391.
HB02-1292, amended as printed in House Journal, April 17, page 1391.
HB02-1405, amended as printed in House Journal, April 17, page 1391.
HB02-1419, amended as printed in House Journal, April 17, page 1391, and on Third Reading, April 18.
HB02-1303, amended as printed in House Journal, April 17, page 1391.
HB02-1237, amended as printed in House Journal, April 17, pages 1393-1396.
HB02-1297, amended as printed in House Journal, April 17, pages 1392-1396.
HB02-1295, amended as printed in House Journal, April 17, page 1393.
HB02-1298, amended as printed in House Journal, April 17, page 1396.
HB02-1301, amended as printed in House Journal, April 17, page 1396.
HB02-1112, amended as printed in House Journal, April 17, page 1397.
HB02-1027, amended as printed in House Journal, April 17, pages 1412-1413.
HB02-1276, amended as printed in House Journal, April 17, page 1411.
HB02-1312, amended as printed in House Journal, April 17, page 1412.
HB02-1038, amended as printed in House Journal, April 17, page 1412.
HB02-1263, amended as printed in House Journal, April 17, page 1412.

Senate in Recess--Senate Reconvened

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the committee recommends that **HB02-1413** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 41, strike lines 22 and 23 and substitute the following: "sum of two million one hundred thirty-four thousand twenty-three dollars (\$2,134,023) and 12.0 FTE is hereby transferred";

strike line 25 and substitute the following:

"of this act. Of said sum, six hundred seventy-seven thousand nine hundred eighty-six dollars (\$677,986) shall be from the general fund, one million three hundred seventeen thousand three hundred one dollars (\$1,317,301) shall be from cash funds exempt, and one hundred thirty-eight thousand seven hundred thirty-six dollars (\$138,736) shall be from federal funds."

Appropriations

After consideration on the merits, the committee recommends that **HB02-1101** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

HB02-1101

Amend reengrossed bill, page 12, line 2, strike "twenty-five thousand dollars (\$25,000)," and substitute "one hundred twenty-two thousand two hundred dollars (\$122,200) and 0.5 FTE,".

Appropriations

After consideration on the merits, the committee recommends that **SB02-208** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 14, after line 7, insert the following:

"SECTION 4. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the licensed home inspectors cash fund created in 12-61-913, Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for the fiscal year beginning July 1, 2002, the sum of fifty-four thousand one hundred six dollars (\$54,106) and 1.0 FTE, or so much thereof as may be necessary, to be allocated as follows:

(a) Three thousand five hundred six dollars (\$3,506) to the executive director's office for the provision of legal services to the real estate division related to the implementation of this act;

(b) Fifty thousand six hundred dollars (\$50,600) and 1.0 FTE for allocation to the real estate division, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of law, for the fiscal year beginning July 1, 2002, the sum of three thousand five hundred six dollars (\$3,506), or so much thereof as may be necessary, for the provision of legal services to the real estate division related to the implementation of this act. Such sum shall be from cash funds exempt received from the real estate division out of the appropriation made in subsection (1) of this section."

Renumber succeeding section accordingly.

Page 1, line 101, strike "**INSPECTORS.**" and substitute "**INSPECTORS, AND MAKING AN APPROPRIATION THEREFOR.**"

Appropriations

After consideration on the merits, the committee recommends that **HB02-1310** be referred favorably to the Committee of the Whole.

Appropriations

After consideration on the merits, the committee recommends that **HB02-1420** be referred favorably to the Committee of the Whole.

MESSAGE FROM THE HOUSE

April 18, 2002

Mr. President:

The House has postponed indefinitely SB02-101. The bill is returned herewith.

MESSAGE FROM THE REVISOR

We herewith transmit:

Without comment, HB02-1417.

Without comment, as amended, HB02-1044, 1292, 1405, 1303, 1237, 1297, 1295, 1298, 1301, 1112, 1027, 1276, 1312, 1038, and 1263.

With comment, as amended, HB02-1419.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
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
72

INTRODUCTION OF BILLS--FIRST READING

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

- HB02-1009** by Representative(s) Stafford; also Senator(s) Gordon--Concerning civil restraining orders, and making an appropriation in connection therewith.
Judiciary
- HB02-1242** by Representative(s) Schultheis, Crane, Cloer, Harvey, Paschall, Rhodes, Sinclair, Snook; also Senator(s) Hillman, Cairns, Musgrave--Concerning the issuance of permits for concealed handguns, and making an appropriation in connection therewith.
Judiciary
- HB02-1414** by Representative(s) Hoppe, Alexander, Kester, Borodkin, Coleman, Daniel, Fritz, Harvey, Hodge, Johnson, Mitchell, Rippey, Smith, Snook, Webster, Weddig, White, Williams T., Young; also Senator(s) Entz, Isgar, Andrews, Chlouber, Dyer, Hanna, Hernandez, Hillman, Matsunaka, Musgrave--Concerning the continued authority of the state engineer to approve limited substitute water supply plans, and making an appropriation in connection therewith.
Agriculture and Natural Resources
Appropriations

INTRODUCTIONS OF CONCURRENT RESOLUTIONS

The following concurrent resolution was read by title and referred to the committee indicated:

- SCR02-004** by Senator(s) Matsunaka--Submitting to the registered electors of the state of Colorado an amendment to article XI of the constitution of the state of Colorado, concerning authorization for the state to contract debt for the purpose of funding state infrastructure needs, and, in connection therewith, authorizing the creation of a state infrastructure bonding authority.
Public Policy and Planning

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

- SR02-013** by Senator(s) May, Entz--Concerning honoring the Veterans of Underage Military Service.
Laid over one day under Senate rule 30(c).

The following resolution was read by title and referred to the committee indicated:

- HJR02-1057** by Representative(s) Fritz, Rippey, Coleman, Tochtrop, Stengel, Kester, Alexander, Cloer, Dean, Hoppe, Johnson, Lee, Miller, Snook, Spradley, Webster, White; also Senator(s) Teck, Entz, Chlouber, Taylor, Hillman, Dyer, Anderson, May, McElhany, Musgrave, Owen, Takis--Concerning efforts to stop the spread of Chronic Wasting Disease.
Public Policy and Planning

On motion of Senator Thiebaut, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **HB02-1413**, **HB02-1420**, **SB02-177**, **SB02-183**, **SB02-201** were made Special Orders at 3:20 p.m.

- Committee of the Whole The hour of 3:20 p.m. having arrived, Senator Hernandez moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Hernandez was called to the Chair to act as Chairman.

SPECIAL 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:

HB02-1413 by Representative(s) Sinclair, Dean, Johnson, Kester, Miller, Tochtrop, White, Williams T., Witwer; also Senator(s) Nichol, Entz--Concerning the state administration of veterans programs, and, in connection therewith, transferring certain functions related to veterans programs to the department of military and veterans affairs, renaming a department, and making a transfer of appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 18, page 909 and placed in members' bill file.)

Amendment No. 2(L.009), by Senator Nichol.

Amend reengrossed bill, page 41, line 14, before "sections" insert "statutory".

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

SB02-177 by Senator Gordon; also Representative Mitchell--Concerning substitute service of process upon the secretary of state due to defendant's absence from the state.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 14, page 469-470 and placed in members' bill file.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 9, page 725 and placed in members' bill file.)

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

SB02-183 by Senator Thiebaut; also Representative Tochtrop--Concerning the requirement of a pretermination meeting prior to the termination of certain deputy sheriffs.

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

SB02-201 by Senator Teck; also Representative Stengel--Concerning the Colorado commission on taxation.

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

HB02-1420 by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2002, except as otherwise noted.

Laid over until the next Special Orders Calendar on Thursday, April 18.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hernandez, the Report of the Committee of the Whole was adopted and, a majority of all members elected to the Senate having voted in the affirmative, the following action was taken:

Passed on Second Reading: **HB02-1413** as amended, **SB02-177** as amended, **SB02-183**, **SB02-201**.

Laid over until the next Special Orders Calendar on Thursday, April 18: **HB02-1420**.

INTRODUCTION OF CONCURRENT RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

SCR02-005 by Senator(s) Evans; also Representative(s) King--Submitting to the registered electors of the state of Colorado an amendment to articles X and XI of the constitution of the state of Colorado, concerning the financing of public school facilities, and, in connection therewith, authorizing school districts and charter schools to enter into multiple-fiscal year lease agreements and lease-purchase agreements for the purpose of obtaining facilities to be used for occupancy by their pupils without obtaining voter approval in advance and authorizing the state to contract debt for the purpose of financing the construction, acquisition, or renovation of school buildings or other facilities to be used for occupancy by pupils enrolled in public schools.
Education

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

- SJR02-039** by Senator(s) Cairns; --Concerning the specification of a time frame during which the fiscal note for a legislative measure shall be provided to the members of the general assembly.
Government, Veterans and Military Relations, and Transportation

The following resolutions were read by title:

- SR02-014** by Senator(s) Gordon; --Concerning the recommendation of conservation to reduce global warming.

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

- SJR02-036** by Senator(s) Gordon; also Representative(s) Grossman--Concerning the city of Glendale's 50th anniversary.

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

- SJR02-037** by Senator(s) Linkhart; also Representative(s) Stafford--Concerning designation of the month of May as Mental Health Month in Colorado.

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

- SJR02-038** by Senator(s) Pascoe; also Representative(s) Grossman--Concerning honoring William "Gully" Stanford for his contributions to the arts and education in Colorado.

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

- SJR02-040** by Senator(s) Lamborn, McElhany, Anderson, Arnold, Cairns, Chlouber, Dyer, Entz, Hagedorn, Hernandez, May, Musgrave, Owen, Takis, Teck, Tupa; also Representative(s) Mitchell, Madden, Scott--Concerning honoring former Supreme Court Justice Byron White.

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

- SJR02-041** by Senator(s) Evans, Hillman; also Representative(s) Harvey, Spence, Young--Concerning honoring top ranking high school seniors in Senate District 30.

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

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 Governor's Appointments.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Nichol, the following Governor's appointment was confirmed by a roll call vote:

COLORADO AERONAUTICAL BOARD

for terms expiring December 19, 2003:

Harold W. Patton, Jr. of Greenwood Village, Colorado, to fill the vacancy occasioned by the resignation of Jeffrey C. Price of Westminster, Colorado, to serve as a representative of local government which operate airports from the eastern slope, appointed.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
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
72

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	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	E	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

On motion of Senator Hernandez, the following Governor's appointments were confirmed by a roll call vote:

MEDICAL SERVICES BOARD

for a term expiring July 1, 2003:

Representative John Witwer of Evergreen, Colorado, to serve as a representative who has experience with the delivery of health care from the Sixth Congressional District and as a Republican, appointed.

for terms expiring July 1, 2005:

The Honorable Stephen C. Tool of Fort Collins, Colorado, to serve as a member from the Fourth Congressional District and as Republican, appointed;

Mary Ellen Faules of Greeley, Colorado, to serve as a member from the Fourth Congressional District and as an Unaffiliated, reappointed;

Wendell Phillips of Colorado Springs, Colorado, to serve as a member from the Fifth Congressional District and as a Republican, reappointed;

for a term expiring July 1, 2004:

Marguerite Salazar of Alamosa, Colorado, to serve as a member from the Third Congressional District with experience in caring for medically underserved children and as a Democrat, appointed.

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	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	E	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

On motion of Senator Thiebaut, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **HB02-1420** was made Special Orders at 3:55 p.m.

Committee of the Whole

The hour of 3:55 p.m. having arrived, Senator Hernandez moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Hernandez was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

The Committee of the Whole having risen, the Chairman reported that the following bill, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB02-1420

by Representative(s) Young, Berry, Saliman; also Senator(s) Reeves, Tate, Owen--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2002, except as otherwise noted.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
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
72

HB02-1420 Amendment No. 1(J.068), by Senator Reeves.

Amend reengrossed bill, page 198, line 10, strike "Program^{110, 110a"} and substitute "Program^{110"}.

Page 228, strike lines 14 through 16.

Amendment No. 2(J.063), by Senators Reeves, Tate and Owen.

Amend reengrossed bill, page 230, strike lines 6 through 10 and substitute the following:

"116 Department of Human Services, Division of Child Welfare, Child Welfare Services -- Pursuant to Section 26-5-104 (6), C.R.S., counties are authorized to negotiate rates, services, and outcomes with child welfare service providers and are thus not required to provide a specific rate increase for any provider. The funding provided for this line item includes an increase of \$2,809,204 based on a 1.0 percent increase in base funding. The Department is requested to provide information to the Joint Budget Committee on or before November 1, 2002, concerning how counties have elected to utilize the additional funding provided."

Amendment No. 3(J.073), by Senator Reeves, Tate, Owen, Tupa, Fitz-Gerald, Linkhart, and Windels.

Amend reengrossed bill, page 237, line 5, in the ITEM & SUBTOTAL column, strike "2,491,089" and substitute "2,531,892" and, in the GENERAL FUND column, strike "2,491,089" and substitute "2,531,892".

Adjust affected totals accordingly.

Page 239, line 4, in the ITEM & SUBTOTAL column, strike "5,264,946" and substitute "5,358,210" and, in the GENERAL FUND column, strike "5,264,946" and substitute "5,358,210".

Adjust affected totals accordingly.

Page 246, line 1, in the ITEM & SUBTOTAL column, strike "81,021,537" and substitute "80,696,506" and, in the GENERAL FUND column, strike "81,021,537" and substitute "80,696,506";

line 2, strike "(1,553.1 FTE)" and substitute "(1,523.1 FTE)";

line 3, in the ITEM & SUBTOTAL column, strike "5,854,957" and substitute "5,811,457" and, in the GENERAL FUND column, strike "3,790,119" and substitute "3,746,619";

strike line 4.

Adjust affected totals accordingly.

Page 251, line 8, in the ITEM & SUBTOTAL column, strike "23,915,888" and substitute "23,921,717" and, in the GENERAL FUND column, strike "23,915,888" and substitute "23,921,717".

Adjust affected totals accordingly.

Page 253, line 3, in the ITEM & SUBTOTAL column, strike "340,486" and substitute "352,144" and, in the GENERAL FUND column, strike "340,486" and substitute "352,144".

Adjust affected totals accordingly.

Page 258, strike lines 1 through 14 and substitute the following:

" Personal Services; Alternate Defense Counsel, Personal Services -- In accordance with Section 13-30-104 (3), C.R.S., funding is provided for a one-year increase in judicial compensation, as follows:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
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

	<u>Current Salary</u>	<u>Increase</u>	<u>FY 2002-03</u>	
Chief Justice, Supreme Court	110,308	5,829	116,137	2
Associate Justice, Supreme Court	107,808	5,829	113,637	3
Chief Judge, Court of Appeals	105,808	5,829	111,637	4
Associate Judge, Court of Appeals	103,308	5,829	109,137	5
District Court Judge	98,808	5,829	104,637	6
County Court Judge	94,308	5,829	100,137	7

This is the final increase to fix a county court judge's salary to the maximum of an administrative law judge III. In future years, all judges will receive increases based upon those received by administrative law judge III'S which are in turn based upon the salary survey percentage increase for employees in the state personnel system. In addition, funding is provided to maintain the salary of the Public Defender at the level of an associate judge of the".

Page 537, line 11, strike "**BUDGETS**²⁴³" and substitute "**BUDGETS**";
strike lines 16 and 17.

Strike pages 538 and 539.

Amendment No. 4(J.074), by Senators Reeves, Tate, and Owen.

Amend reengrossed bill, page 240, line 2, strike "Furnishings^{132, 132a}" and substitute "Furnishings¹³²".

Page 259, strike lines 9 through 12.

Amendment No. 5(J.064), by Senators Reeves, Tate, Owen, Tupa, Fitz-Gerald, Windels, Linkhart, Pascoe, and Hanna.

Amend reengrossed bill, page 305, line 3, in the ITEM & SUBTOTAL column, strike "2,154,376" and substitute "2,904,376" and, in the GENERAL FUND column, strike "2,154,376" and substitute "2,904,376".

Adjust affected totals accordingly.

Page 310, strike lines 1 and 2;

line 4, in the ITEM & SUBTOTAL column, strike "805,000" and substitute "55,000" and, in the CASH FUNDS EXEMPT column, strike "805,000^h" and substitute "55,000^h".

Adjust affected totals accordingly.

Page 311, strike lines 5 and 6 and substitute the following: "^hThis amount shall be from the existing fund balance in the Colorado Heritage Communities Fund created pursuant to Section 24-32-3207, C.R.S."

Amendment No. 6(J.081), by Senator FitzGerald, Hanna, Linkhart, and Matsunaka.

Amend reengrossed bill, page 420, line 13 in the ITEM & SUBTOTAL column, strike "7,783,892" and substitute "8,023,892" and, in the CASH FUNDS EXEMPT column, strike "496,942^a" and substitute "736,942^a".

Adjust affected totals accordingly.

Page 421, line 1, strike "\$489,171" and substitute "\$729,171".

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hernandez, the Report of the Committee of the Whole was adopted and, a majority of all members elected to the Senate having voted in the affirmative, the following action was taken:

Passed on Second Reading: **HB02-1420** as amended.

INTRODUCTION OF RESOLUTIONS

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

- SJR02-042** by Senator(s) Chlouber--Concerning encouraging the President of the United States to support Israel in its fight against terrorism.
Judiciary
- SJR02-043** by Senator(s) Evans; also Representative(s) Young--Concerning the delisting of the Preble's meadow jumping mouse.
Health, Environment, Children & Families
- SJR02-044** by Senator(s) Andrews, Arnold, Cairns, Chlouber, Dyer, Epps, Evans, Gordon, Hagedorn, Hernandez, Hillman, Lamborn, May, Musgrave, Nichol, Owen, Taylor, Teck; also Representative(s) Mitchell--Concerning the support of the General Assembly for constitutional protections accorded elected officials in expressing their views on public issues.
Public Policy and Planning

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:

- SB02-081** by Senator(s) Hagedorn, Takis; also Representative(s) Boyd, Tochtrop--Concerning measures to enhance the availability of prescription drugs, and, in connection therewith, providing for subsidies to senior citizens for pharmaceutical services, requiring the state to enter into regional bulk purchasing agreements for prescription drugs, expanding the medicaid reimbursement rate to persons eligible for medicare, and enhancing medical assistance practices for the management of chronic illness.

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

YES	21	NO	13	EXCUSED	1	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	Y
Cairns	N	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	N	Thiebaut	Y
Dyer	N	Hillman	N	Pascoe	Y	Tupa	Y
Entz	N	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 bill was declared **passed**.

Co-sponsors added: Chlouber, Tupa.

- SB02-074** by Senator Linkhart; also Representative Veiga--Concerning the expansion of employment nondiscrimination protections.

Laid over until Friday, April 19, retaining its place on the calendar.

- SB02-115** by Senator Hernandez; also Representative Groff--Concerning a demographic study of the state's prison population.

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

SB02-115

YES	20	NO	14	EXCUSED	1	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	Y	Teck	N
Chlouber	Y	Hernandez	Y	Owen	N	Thiebaut	Y
Dyer	N	Hillman	N	Pascoe	Y	Tupa	Y
Entz	Y	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 bill was declared **passed**.

Co-sponsors added: Chlouber, Linkhart, Tate, Tupa, Windels.

SB02-134

by Senator Hagedorn; also Representative Tochtrop--Concerning measures to reduce the shortage of nurses in Colorado.

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

YES	21	NO	13	EXCUSED	1	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	Y
Cairns	N	Hanna	Y	Nichol	Y	Teck	N
Chlouber	Y	Hernandez	Y	Owen	N	Thiebaut	Y
Dyer	N	Hillman	N	Pascoe	Y	Tupa	Y
Entz	Y	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 bill was declared **passed**.

Co-sponsors added: Fitz-Gerald, Hanna, Hernandez, Linkhart, Matsunaka, Pascoe, Phillips, Thiebaut, Tupa, Windels.

HB02-1352

by Representative Hoppe; also Senator Isgar--Concerning recommendations of the house committee on agriculture, livestock, and natural resources 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.

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

Third Reading Amendment, by Senator Isgar.

Amend revised bill, page 18, before line 3, insert the following:

"SECTION 23. 24-37.5-205, Colorado Revised Statutes, is amended to read:

24-37.5-205. Annual report by commission. The commission shall report to the governor and the ~~communications and information technology committee created in House Bill 99-1348, enacted at the first regular session of the sixty-second general assembly,~~ BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE BUSINESS, LABOR AND FINANCE COMMITTEE OF THE SENATE regularly on at least an annual basis concerning the implementation of the provisions of this part 2."

Renumber succeeding sections accordingly.

A majority of all 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 roll call was taken with the following result:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
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
72

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	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	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 was declared **passed**.

IMMEDIATE RECONSIDERATION OF SB02-081

SB02-081

by Senator(s) Hagedorn, Takis; also Representative(s) Boyd, Tochtrop--Concerning measures to enhance the availability of prescription drugs, and, in connection therewith, providing for subsidies to senior citizens for pharmaceutical services, requiring the state to enter into regional bulk purchasing agreements for prescription drugs, expanding the medicaid reimbursement rate to persons eligible for medicare, and enhancing medical assistance practices for the management of chronic illness.

Having voted on the prevailing side, Senator Hagedorn moved for immediate reconsideration of the last Senate action, Third Reading--Final Passage of Bills, on **SB02-081**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

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

YES	31	NO	3	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	N	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	N	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	E	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

Co-sponsors added: Gordon, Hanna, Hernadez, Linkhart, Pascoe, Phillips, Windels.

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, April 18, was laid over until Friday, April 19, retaining its place on the calendar.

Consideration of Resolutions: **HJR02-1003, SJR02-004, SJR02-006, HJR02-1015, HJR02-1021, SJR02-013, SR02-008, HJR02-1027, SR02-009, HJR02-1035, SJR02-023, SJR02-025, SJR02-026, SR02-010, SJR02-027, SR02-011, SJR02-035.**

Consideration of House Amendments to Senate Bills: **SB02-141, SB02-136, SB02-161.**

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

Consideration of Governor's Appointments:

- State Board of Parole
- Transportation Commission
- Examining Board of Plumbers

Consideration of Conference Committee Reports: **HB02-1131, HB02-1061, HB02-1019.**

On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., Friday, April 19, 2002.

Attest:

Approved:

Karen Goldman
Secretary of the Senate

Stan Matsunaka
President of the Senate