

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

One-hundred-eighth Legislative Day

Friday, April 26, 2002

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

Roll Call Present--Total, 29.
Absent/Excused--Andrews, Epps, Hillman, Linkhart, May, Thiebaut--Total, 6.
Present later--Andrews, Hillman, Linkhart, Thiebaut.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Taylor, reading of the Journal of Thursday, April 25, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Services Correctly printed: SB02-226, 227, 228; SJR02-045; SR02-016; SJM02-002.

Correctly engrossed: SJR02-038, 041; SR02-015.

Correctly reengrossed: SB02-193, 208.

Correctly rerevised: HB02-1101, 1180, 1129, 1313.

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: **SR02-008, SJR02-045**.

CONSIDERATION OF RESOLUTIONS

SR02-008 by Senator(s) Epps--Concerning honoring the Colorado Mounted Rangers.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	E	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		

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

SJR02-045 by Senator(s) Thiebaut; also Representative Tapia--Concerning the recognition of Workers Memorial Day.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	E	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		

SJR02-045 Co-sponsors added: The present roll call of the Senate.

COMMITTEE OF REFERENCE REPORTS

Public Policy and Planning After consideration on the merits, the committee recommends that **HB02-1404** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 28, line 9, strike "THE DEPARTMENT OF LOCAL";

strike line 10;

line 11, strike "THE JOINT BUDGET COMMITTEE."

Public Policy and Planning After consideration on the merits, the committee recommends that **HB02-1265** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 16, after "THAT", insert "WOULD OTHERWISE BE CLASSIFIED AS A HOTEL UNIT IF THE RESIDENTIAL UNIT";

line 18, strike "THAT";

line 19, strike "THAT IS NOT SUBJECT TO AN ALLOWANCE";

line 20, strike "FOR DEPRECIATION" and substitute:

"EITHER HAS BEEN HELD BY THE DEVELOPER FOR LESS THAN TWO YEARS SINCE THE CERTIFICATE OF OCCUPANCY FOR THE RESIDENTIAL UNIT HAS BEEN ISSUED OR IS NOT DEPRECIATED";

line 21, strike "OR";

after line 21, insert the following:

"(III) A RESIDENTIAL UNIT THAT WOULD OTHERWISE BE CLASSIFIED AS A HOTEL UNIT IF THE RESIDENTIAL UNIT HAS BEEN ACQUIRED BY A LENDER OR AN OWNERS ASSOCIATION THROUGH FORECLOSURE, A DEED IN LIEU OF FORECLOSURE, OR A SIMILAR TRANSACTION, IS MARKETED FOR SALE BY THE LENDER OR OWNERS ASSOCIATION AND IS NOT DEPRECIATED UNDER THE INTERNAL REVENUE CODE, AS DEFINED IN SECTION 39-22-103 (5.3), WHILE OWNED BY THE LENDER OR OWNERS ASSOCIATION; OR";

line 22, strike "(III)" and substitute "(IV)".

Page 3, line 7, strike "RESIDENTIAL" and substitute "NON-HOTEL";

line 9, strike "RESIDENTIAL" and substitute "NON-HOTEL";

strike lines 12 through 15 and substitute the following:

"UNIT NOT REQUIRED TO BE PAID BY THE NON-HOTEL UNIT OWNERS PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH (b).

(II) EACH NON-HOTEL UNIT OWNER SHALL PAY THAT PORTION OF THE TAXES ON THE HOTEL UNIT EQUAL TO THE NON-HOTEL UNIT OWNER'S";

strike lines 20 through 22 and substitute the following:

"PROPERTY.";

line 24, strike "RESIDENTIAL" and substitute "HOTEL UNIT OWNER OR NON-HOTEL";

line 26, strike "RESIDENTIAL UNIT OWNER OR HOTEL" and substitute "HOTEL UNIT OWNER OR NON-HOTEL".

Page 4, line 3, strike "RESIDENTIAL UNIT OWNER OR HOTEL" and substitute

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

HB02-1265

"HOTEL UNIT OWNER OR NON-HOTEL";

line 15, strike the second "UNITS" and substitute "UNIT OWNERSHIP EQUIVALENTS".

Page 5, strike lines 12 and 13 and substitute the following:

"(IV) "PROJECT" MEANS ONE OR MORE IMPROVEMENTS THAT CONTAIN RESIDENTIAL UNITS IF THE BOUNDARIES OF THE RESIDENTIAL UNITS ARE DESCRIBED IN OR";

line 18, strike "RESIDENTIAL" and substitute "NON-HOTEL";

after line 21, insert the following:

"(VII) "RESIDENTIAL UNIT OWNERSHIP EQUIVALENT" MEANS:

(A) IN THE CASE OF TIME SHARE UNITS, TIME SHARE INTERESTS OR TIME SHARE USE PERIODS IN ONE OR MORE TIME SHARE UNITS THAT IN THE AGGREGATE ENTITLE THE OWNER OF SUCH TIME SHARE INTERESTS OR TIME SHARE USE PERIODS TO THREE HUNDRED SIXTY-FIVE DAYS OF USE IN ANY CALENDAR YEAR OR THREE HUNDRED SIXTY-SIX DAYS OF USE IN ANY CALENDAR YEAR THAT IS A LEAP YEAR; AND

(B) IN THE CASE OF RESIDENTIAL UNITS OTHER THAN TIME SHARE UNITS, UNDIVIDED INTERESTS OR OTHER OWNERSHIP INTERESTS IN ONE OR MORE SUCH RESIDENTIAL UNITS THAT TOTAL ONE HUNDRED PERCENT. FOR PURPOSES OF THIS SUBPARAGRAPH (B), ANY UNDIVIDED INTEREST OR OTHER OWNERSHIP INTEREST NOT STATED IN TERMS OF A PERCENTAGE OF TOTAL OWNERSHIP SHALL BE CONVERTED TO A PERCENTAGE OF TOTAL OWNERSHIP BASED ON THE RIGHTS ACCORDED TO THE HOLDER OF THE UNDIVIDED INTEREST OR OTHER OWNERSHIP INTEREST.";

line 22, strike "(VII) and substitute "(VIII)".

Business,
Labor, and
Finance

After consideration on the merits, the committee recommends that **HB02-1161** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 19 through 23.

Government,
Veterans and
Military
Relations and
Transportation

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

ADVISORY COMMITTEE ON
GOVERNMENTAL ACCOUNTING

for a term expiring May 18, 2005:

John D. Musso of Pueblo, Colorado, to serve as a representative of local school districts and junior college districts, reappointed.

Government,
Veterans and
Military
Relations, and
Transportation

After consideration on the merits, the committee recommends that **HB02-1222** be postponed indefinitely.

Government,
Veterans and
Military
Relations, and
Transportation

After consideration on the merits, the committee recommends that **SJR02-039** be postponed indefinitely.

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

Government,
Veterans and
Military
Relations, and
Transportation

After consideration on the merits, the committee recommends that **HB02-1412** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

1
2
3
4
5
6
7

THIRD READING--FINAL PASSAGE OF BILLS

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

8
9
10
11
12

HB02-1163

by Representative(s) Stafford, Mitchell; also Senator(s) Hernandez--Concerning health insurance for employers with fewer than fifty-one employees.

13
14
15
16
17

Laid over until Friday, May 3, retaining its place on the calendar.

COMMITTEE OF REFERENCE REPORTS

Health,
Environment,
Children &
Families

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

18
19
20
21
22
23

STATE BOARD OF NURSING

for a term expiring July 1, 2002:

24
25
26
27

Helen M. Vandiver of Englewood, Colorado, to fill the vacancy occasioned by the resignation of Marilyn R. Hadley and to serve as licensed practical nurse, appointed;

28
29
30

for terms expiring July 1, 2004:

31
32

Gynia L. Crane of Aurora, Colorado, to serve as a licensed professional nurse engaged in home health care, reappointed;

33
34
35

Sharon Barclay of Delta, Colorado, to serve as a licensed professional nurse engaged in practical nursing education, appointed;

36
37
38

Carole A. Harrison of Denver, Colorado, to serve as a public member, appointed;

39
40

Laurett Barrentine of Englewood, Colorado, to serve as a public member, reappointed.

41
42
43

Health,
Environment,
Children &
Families

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

44
45
46
47
48
49

MEDICAL SERVICES BOARD

for terms expiring July 1, 2002:

50
51
52

Laurett Barrentine of Englewood, Colorado, to fill the vacancy occasioned by the passage of Barbara L. Crawford of Greenwood Village, Colorado, as a Republican from the Sixth Congressional District, appointed.

53
54
55
56
57

Health,
Environment,
Children &
Families

After consideration on the merits, the committee recommends that **HB02-1402** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

58
59
60
61
62
63

Amend the reengrossed bill, strike everything below the enacting clause and substitute the following:

64
65
66

"SECTION 1. Article 4 of title 26, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

67
68
69

26-4-422. Waiver - hepatitis A vaccination. THE STATE DEPARTMENT SHALL, IN COLLABORATION WITH THE DEPARTMENT OF

70
71
72

HB02-1402

PUBLIC HEALTH AND ENVIRONMENT, SEEK ANY NECESSARY WAIVERS TO OBTAIN COVERAGE FOR THE HEPATITIS A VACCINATION FOR CHILDREN ELIGIBLE FOR THE BABY AND KID CARE PROGRAM ESTABLISHED IN SECTION 26-4-508.

SECTION 2. 26-4-302 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

26-4-302. Basic services for the categorically needy - optional services. (1) The following are services for which federal financial participation is available and which Colorado has selected to provide as optional services under the medical assistance program:

(u) HEPATITIS A VACCINATIONS FOR CHILDREN ELIGIBLE UNDER SECTION 26-4-508.

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."

Health, Environment, Children & Families

After consideration on the merits, the committee recommends that HB02-1209 be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, line 1, strike "(3), (4), and (5),";

line 2, strike "are" and substitute "as amended by House Bill 02-1390, enacted at the Second Regular Session of the Sixty-third General Assembly, is";

line 14, after "C.R.S.," insert "~~and the moneys appropriated by the general assembly from the state general fund~~";

strike line 18 and substitute the following:

"SECTION 2. 26-11-205.5 (3), (4), and (5), Colorado Revised Statutes, are amended to read:

26-11-205.5. Older Coloradans program - distribution formula. (3) The proposed uses of moneys from the program shall be".

Renumber succeeding sections accordingly.

Page 2, strike lines 26 and 27 and substitute the following:

"(4) (a) ~~On or before January 1, 2001, and on or before January 1, 2002,~~ ON OR BEFORE AUGUST 1, 2002, AND EACH AUGUST 1".

Page 3, strike lines 5 and 6, and substitute the following:

"(b) ~~On or before February 1, 2001, and on or before February 1, 2002,~~ ON OR BEFORE NOVEMBER 1, 2002, AND EACH NOVEMBER 1".

Health, Environment, Children & Families

After consideration on the merits, the committee recommends that HB02-1292 be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 20, line 21, strike "~~In selecting MCO's, the~~";

strike lines 22 through 24, and substitute the following:

"In selecting MCO's, the state department shall not penalize an MCO for paying cost-based reimbursement to federally qualified health centers as defined in the "Social Security Act"."

Page 23, line 26, after "providers.," insert "THE STATE DEPARTMENT

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

HB02-1292

SHALL ESTABLISH THE POSITION OF OMBUDSMAN FOR MEDICAID MANAGED CARE. IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE OMBUDSMAN FOR MEDICAID MANAGED CARE BE INDEPENDENT FROM THE STATE DEPARTMENT AND SELECTED THROUGH A COMPETITIVE BIDDING PROCESS. IN THE EVENT THE STATE DEPARTMENT IS UNABLE TO CONTRACT WITH AN INDEPENDENT OMBUDSMAN, AN EMPLOYEE OF THE STATE DEPARTMENT MAY SERVE AS THE OMBUDSMAN FOR MEDICAID MANAGED CARE. THE OMBUDSMAN SHALL, IF THE ENROLLEE REQUESTS, ACT AS THE ENROLLEE'S REPRESENTATIVE IN RESOLVING COMPLAINTS AND GRIEVANCES WITH THE MCO."

Page 24, strike line 5 and substitute the following:

~~"paragraph (a) of this subsection (1);~~ THE OMBUDSMAN FOR MEDICAID MANAGED CARE, a lay advocate, or the enrollee's".

Page 29, strike lines 10 through 13.

Health,
Environment,
Children &
Families

After consideration on the merits, the committee recommends that **HB02-1281** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 6, line 27, after the period, add "SERVICES PROVIDED PURSUANT TO THIS SECTION SHALL BEGIN TO BE PROVIDED TO PERSONS WITH TRAUMATIC BRAIN INJURIES NO LATER THAN JULY 1, 2004."

Page 8, line 20, after the period, add "IMPLEMENTATION OF THIS SECTION SHALL BEGIN NO LATER THAN APRIL 1, 2004.";

line 26, after the period, add "THE BOARD SHALL SOLICIT APPLICATIONS FOR GRANTS TO BE AWARDED PURSUANT TO THIS SECTION NO LATER THAN OCTOBER 1, 2004."

Page 13, line 11, strike "(1) This" and substitute "(1) (a) Except as provided in paragraph (b), sections 1, 2, 7, and 8 of this";

after line 18, insert the following:

"(b) Sections 3 through 6 of this act shall take effect January 1, 2004."

Health,
Environment,
Children &
Families

After consideration on the merits, the committee recommends that **HB02-1138** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, line 12, after the second "COUNTIES", insert "SPECIFIED IN SECTION 26-5-104 (4) (b) (I)";

line 13, after the second "counties", insert "SPECIFIED IN SECTION 26-5-104 (4) (b) (I)".

Page 3, line 24, strike "COUNTIES." and substitute "COUNTIES SPECIFIED IN SECTION 26-5-104 (4) (b) (I)."

Page 6, line 16, after "COUNTIES", insert "SPECIFIED IN SECTION 26-5-104 (4) (b) (I), C.R.S.";

after line 27, insert the following:

SECTION 3. 13-32-101 (1) (a), Colorado Revised Statutes, is amended to read:

13-32-101. Docket fees in civil actions - support registry fund created. (1) At the time of first appearance in all civil actions and special proceedings in all courts of record, except in the supreme court and the court of appeals, and except in the probate proceedings in the district court or probate court of the city and county of Denver, and

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

HB02-1138

except as provided in subsection (2) of this section and in sections 13-32-103 and 13-32-104, there shall be paid in advance the total docket fees, as follows:

(a) By the petitioner in a proceeding for dissolution of marriage, legal separation, or declaration of invalidity of marriage and by the petitioner in an action for a declaratory judgment concerning the status of marriage, PRIOR TO JULY 1, 2003, a fee of ninety dollars, AND, ON OR AFTER JULY 1, 2003, A FEE OF ONE HUNDRED THIRTY DOLLARS; fifteen dollars of such fee shall be transmitted to the state treasurer for deposit in the Colorado children's trust fund, created in section 19-3.5-106, C.R.S., and, on and after July 1, 2002, the remainder shall be transmitted to the state treasurer for deposit in the family stabilization services fund, created in section 19-1-125, C.R.S.;"

Renumber succeeding section accordingly.

Health,
Environment,
Children &
Families

After consideration on the merits, the committee recommends that **HB02-1263** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, strike line 5 and substitute the following:

"Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SECTIONS to";

line 17, strike "NATIVE" and substitute "NATIVE" and strike "PURSUANT" and substitute "ESTABLISHED IN";

line 18, strike "TO";

line 22, strike "of this" and substitute "OF THIS SUBSECTION";

line 23, strike "subsection".

Page 4, line 3, strike "NATIVE" and substitute "NATIVE";

line 5, strike "NATIVE" and substitute "NATIVE";

line 7, strike "NATIVE" and substitute "NATIVE";

line 10, strike "NATIVE" and substitute "NATIVE";

strike line 15 and substitute the following:

"NATIVE AMERICAN SUBSTANCE ABUSE TREATMENT CASH FUND FOR THE PURPOSE OF PREPARING THE STATE PLAN AMENDMENT REQUIRED UNDER SECTION 26-4-422";

line 16, strike "TO SUBSECTION (1) OF THIS SECTION";

after line 21, insert the following:

"26-4-424. Substance abuse treatment - federal waiver.

(1) THE EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF HUMAN SERVICES, MAY APPLY FOR A FEDERAL WAIVER TO PROVIDE SUBSTANCE ABUSE TREATMENT TO ANY PERSON WHO IS ELIGIBLE FOR MEDICAID AS PROVIDED IN SECTION 26-4-201 (1) (a), 26-4-201 (1) (b), 26-4-301 (1) (a), OR 26-4-301 (1) (o).

(2) THE PROVISIONS OF THE FEDERAL WAIVER SHALL NOT BE IMPLEMENTED UNTIL THE STATE DEPARTMENT RECEIVES APPROVAL BY THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY. ONCE THE STATE DEPARTMENT HAS RECEIVED APPROVAL BY THE JOINT BUDGET COMMITTEE, THE STATE DEPARTMENT SHALL IMPLEMENT SUBSTANCE ABUSE TREATMENT SERVICES TO THE EXTENT AUTHORIZED BY THE FEDERAL WAIVER."

Page 5, line 1, strike "Native" and substitute "native".

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

Health, Environment, Children & Families After consideration on the merits, the committee recommends that **HB02-1070** be referred favorably to the Committee of the Whole.

1
2
3
4
5
6
7

Health, Environment, Children & Families After consideration on the merits, the committee recommends that **HB02-1125** be referred favorably to the Committee on Appropriations.

8
9
10
11
12
13
14

Health, Environment, Children & Families After consideration on the merits, the committee recommends that **HB02-1276** be referred favorably to the Committee on Appropriations.

15
16
17
18
19
20
21

Health, Environment, Children & Families After consideration on the merits, the committee recommends that **HB02-1104** be postponed indefinitely.

22
23
24
25
26
27
28

Health, Environment, Children & Families After consideration on the merits, the committee recommends that **HB02-1262** be referred favorably to the Committee of the Whole.

29
30
31
32
33
34
35

Health, Environment, Children & Families After consideration on the merits, the committee recommends that **HB02-1010** be referred favorably to the Committee on Appropriations.

36
37
38
39
40
41
42

Health, Environment, Children & Families After consideration on the merits, the committee recommends that **HB02-1039** be referred favorably to the Committee on Appropriations.

43
44
45
46
47
48
49

Health, Environment, Children & Families After consideration on the merits, the committee recommends that **HB02-1029** be referred favorably to the Committee on Appropriations.

50
51
52
53
54
55
56

Health, Environment, Children & Families After consideration on the merits, the committee recommends that **HB02-1027** be referred favorably to the Committee on Appropriations.

57
58
59
60
61
62
63

Health, Environment, Children & Families After consideration on the merits, the committee recommends that **HB02-1067** be referred favorably to the Committee on Appropriations.

64
65
66
67
68
69
70
71
72

Health, Environment, Children & Families After consideration on the merits, the committee recommends that **HB02-1362** be postponed indefinitely.

Health, Environment, Children & Families After consideration on the merits, the committee recommends that **HB02-1293** be referred favorably to the Committee on Appropriations.

Health, Environment, Children & Families After consideration on the merits, the committee recommends that **HB02-1155** be referred favorably to the Committee on Appropriations.

Committee of the Whole On motion of Senator Perlmutter, the Senate resolved itself into Committee of the Whole for consideration of General Orders--Second Reading of Bills Consent Calendar and Senator Perlmutter 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:

SB02-197 by Senator(s) Hanna; also Representative(s) Witwer--Concerning home- and community-based services for persons with major mental illnesses.
Ordered engrossed and placed on the calendar for Third Reading and Final Passage.

SB02-203 by Senator(s) Hanna, Linkhart; also Representative(s) Tochtrop--Concerning the rule-making authority of the state board of nursing related to the nurse diversion program.
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 Perlmutter, 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: **SB02-197, SB02-203.**

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 appointments were confirmed by a roll call vote:

TRANSPORTATION COMMISSION

for terms expiring July 1, 2005:

Douglas E. Aden of Grand Junction, Colorado, to serve as a commissioner from the Seventh Transportation District, reappointed;

Gregory B. McKnight of Englewood, Colorado, to serve as a commissioner from the Third Transportation District, 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

George H. Tempel of Wiley, Colorado, to serve as a commissioner from the Tenth Transportation District, appointed;

B. Stephens Parker of Durango, Colorado, to serve as a commissioner from the Eighth Transportation District, appointed;

Joseph B. Blake of Denver, Colorado, to serve as a commissioner from the First Transportation District, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	E	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		

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

STATE BOARD OF PAROLE

for a term expiring July 1, 2003:

Allan F. Stanley of Littleton, Colorado, to fill the vacancy occasioned by the removal of Larry J. Schwarz and to serve as a citizen representative, appointed.

effective July 1, 2001, for terms expiring July 1, 2004:

Curtis W. Devin of Colorado Springs, Colorado, to serve as a citizen representative, reappointed;

Donald E. Van Pelt of Pueblo West, Colorado, to serve as a citizen representative, reappointed;

Daniel I. Miraflor of Denver, Colorado, to serve as a representative from law enforcement, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	E	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		

JUVENILE PAROLE BOARD

for terms expiring at the pleasure of the Governor:

Jacklyne A. Herbst of Lakewood, Colorado, to fill the vacancy occasioned by the resignation of David C. Pimentel and to serve as a public member, appointed;

Edward L. Arcuri, III of Monument, Colorado, to fill the vacancy occasioned by the resignation of Michael T. Jones and to serve as a representative of the Department of Labor and Employment, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	E	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		

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: **SR02-016**.

CONSIDERATION OF RESOLUTIONS

SR02-016 by Senator(s) Phillips, Thiebaut--Concerning honoring Army Special Forces Sergeant First Class Daniel Aaron Romero.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	E	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		

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

On motion of Senator Thiebaut, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **SB02-171, SB02-194, SB02-080, SB02-205, SB02-209, SB02-207, SB02-218, SB02-221, SB02-210, HB02-1113, HB02-1417, HB02-1323, HB02-1359, HB02-1324** were made Special Orders at 10:15 a.m.

Committee of the Whole The hour of 10:15 a.m. having arrived, Senator Perlmutter moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Perlmutter 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:

SB02-171 by Senator(s) Thiebaut; also Representative(s) Grossman--Concerning the requirement that the state personnel director authorize payroll deductions to employee organizations representing state employees when a written request for the deduction is received.

Amendment No. 1, Public Policy and Planning Committee Amendment.
(Printed in Senate Journal, April 12, page 778 and placed in members' bill file.)

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

(For further action, see Amendments to the Committee of the Whole Report.)

SB02-080 by Senator(s) Pascoe, Evans, Fitz-Gerald, Linkhart, Perlmutter, Windels; also Representative(s) King, Groff--Concerning education improvement.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, March 1, page 375-379 and placed in members' bill file.)

SB02-080

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 9, page 709-724 and placed in members' bill file.)

Amendment No. 3(L.029), by Senator Evans.

Amend the Education Committee Report, dated February 28, 2002, page 1, before line 1, insert the following:

"Amend printed bill, page 4, line 4, strike "growth" and substitute "improvement";

line 9, strike "growth" and substitute "improvement";

line 27, strike "GROWTH" and substitute "IMPROVEMENT".";

line 1 of the committee report, strike "Amend printed bill, page 5," and substitute "Page 5,";

after line 3 of the committee report, insert the following:

"line 14, strike "GROWTH" and substitute "IMPROVEMENT";";

after line 7 of the committee report, insert the following:

"Page 6, line 25, strike "GROWTH" and substitute "IMPROVEMENT".

Page 7, line 2, strike "**growth**" and substitute "**improvement**";";

line 8 of the committee report, strike "Page 7,";

line 10 of the committee report, strike "COMPARABLE"." and substitute "COMPARABLE";";

after line 10 of the committee report, insert the following:

"line 16, strike "GROWTH" and substitute "IMPROVEMENT";

line 20, strike "GROWTH" and substitute "IMPROVEMENT";

line 24, strike "GROWTH" and substitute "IMPROVEMENT";

line 25, strike "GROWTH," and substitute "IMPROVEMENT, ".".

Page 2 of the committee report, strike line 27 and substitute the following:

"strike line 5 and substitute the following:

"THE AVERAGE OF THE STUDENTS' ACADEMIC IMPROVEMENT";";

strike line 29 of the committee report and substitute the following:

"line 7, strike "GROWTH" and substitute "IMPROVEMENT";

strike line 9 and substitute the following:

"IMPROVEMENT AMOUNTS FOR THE SCHOOL BY JANUARY 1, 2003.";".

Page 3 of the committee report, after line 4, insert the following:

"line 13, strike "GROWTH" and substitute "IMPROVEMENT";

line 15, strike "GROWTH" and substitute "IMPROVEMENT";";

line 7 of the committee report, strike "GROWTH" and substitute "IMPROVEMENT";

strike lines 12 and 13 of the committee report and substitute the following:

"line 20, strike "GROWTH" and substitute "IMPROVEMENT";

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

SB02-080

line 21, strike "IMPROVING ACADEMIC GROWTH," and substitute "RAISING ACADEMIC IMPROVEMENT";

strike line 23 and substitute the following:

"REPORTING THEIR ACADEMIC IMPROVEMENT PURSUANT TO THIS PART 6 AND IN THE FORMAT OF THE SCHOOL ACCOUNTABILITY REPORT DESCRIBED IN SECTION 22-7-605.";

line 25, strike "GROWTH" and substitute "IMPROVEMENT".

Page 9, line 6, strike "GROWTH" and substitute "IMPROVEMENT";

line 11, strike "GROWTH" and substitute "IMPROVEMENT";

line 17, strike "GROWTH" and substitute "IMPROVEMENT";

line 21, strike "GROWTH" and substitute "IMPROVEMENT";";

line 14 of the committee report, strike "Page 9,";

line 15 of the committee report, strike "IS" and substitute "IS";";

after line 15 of the committee report, insert the following:

"line 23, strike "GROWTH" and substitute "IMPROVEMENT";

line 26, strike "GROWTH" and substitute "IMPROVEMENT".";

line 17 of the committee report, strike "GROWTH" and substitute "IMPROVEMENT";

after line 19 of the committee report, insert the following:

"Page 10, line 16, strike "GROWTH" and substitute "IMPROVEMENT";";

line 20 of the committee report, strike "Page 10,";

line 25 of the committee report, strike "GROWTH" and substitute "IMPROVEMENT".

Page 4 of the committee report, after line 13, insert the following:

"Page 12, line 1, strike "GROWTH" and substitute "IMPROVEMENT";";

line 6, strike "GROWTH" and substitute "IMPROVEMENT";";

line 12, strike "GROWTH" and substitute "IMPROVEMENT".

Page 13, line 22, strike "GROWTH" and substitute "IMPROVEMENT".

Page 14, line 1, strike "GROWTH" and substitute "IMPROVEMENT".

Page 16, line 3, strike "GROWTH" and substitute "IMPROVEMENT";

line 11, strike "GROWTH" and substitute "IMPROVEMENT";

line 15, strike "GROWTH" and substitute "IMPROVEMENT";

line 20, strike "GROWTH" and substitute "IMPROVEMENT";";

line 14 of the committee report, strike "Page 16,".

Page 5 of the committee report, line 27, strike "SIZE:" and substitute "SIZE:";

after line 27 of the committee report, insert the following:

"line 20, strike "GROWTH" and substitute "IMPROVEMENT".

Page 21, line 15, strike "GROWTH" and substitute "IMPROVEMENT";

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

SB02-080

line 22, strike "GROWTH" and substitute "IMPROVEMENT".

Page 6 of the committee report, line 2, strike "size" and substitute "size";

after line 2 of the committee report, insert the following:

"line 11, strike "GROWTH" and substitute "IMPROVEMENT";

line 23, strike "GROWTH" and substitute "IMPROVEMENT".

Page 23, line 3, strike "GROWTH" and substitute "IMPROVEMENT";

line 3 of the committee report, strike "Page 23,";

after line 5 of the committee report, insert the following:

"line 15, strike "GROWTH" and substitute "IMPROVEMENT";

line 19, strike "GROWTH" and substitute "IMPROVEMENT";

Page 7 of the committee report, line 6, strike "GROWTH" and substitute "IMPROVEMENT";

after line 31 of the committee report, insert the following:

"Page 24, line 10, strike "GROWTH" and substitute "IMPROVEMENT";

line 12, strike "GROWTH" and substitute "IMPROVEMENT";

line 17, strike "GROWTH" and substitute "IMPROVEMENT";

line 19, strike "GROWTH" and substitute "IMPROVEMENT";

line 25, strike "GROWTH" and substitute "IMPROVEMENT".

Page 25, line 2, strike "GROWTH" and substitute "IMPROVEMENT".;

line 3, strike "GROWTH" and substitute "IMPROVEMENT".

Page 26, line 22, strike "GROWTH" and substitute "IMPROVEMENT".

Page 27, line 6, strike "GROWTH" and substitute "IMPROVEMENT";

line 9, strike "GROWTH" and substitute "IMPROVEMENT";

line 14, strike "GROWTH" and substitute "IMPROVEMENT".

Page 28, line 15, strike "GROWTH" and substitute "IMPROVEMENT";

line 24, strike "GROWTH" and substitute "IMPROVEMENT";

line 25, strike "GROWTH" and substitute "IMPROVEMENT".

Page 29, line 6, strike "GROWTH" and substitute "IMPROVEMENT";

line 8, strike "GROWTH" and substitute "IMPROVEMENT";

line 9, strike "GROWTH" and substitute "IMPROVEMENT";

line 32 of the committee report, strike "Page 29,".

Page 8 of the committee report, after line 27, insert the following:

"Page 32, line 5, strike "GROWTH" and substitute "IMPROVEMENT";

line 14, strike "GROWTH" and substitute "IMPROVEMENT";

line 26, strike "GROWTH" and substitute "IMPROVEMENT";

line 27, strike "GROWTH" and substitute "IMPROVEMENT".

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

SB02-080

Page 33, line 8, strike "GROWTH" and substitute "IMPROVEMENT";

line 13, strike "GROWTH" and substitute "IMPROVEMENT";

line 25, strike "GROWTH" and substitute "IMPROVEMENT".

Page 34, line 21, strike "GROWTH" and substitute "IMPROVEMENT".

Page 35, line 17, strike "GROWTH" and substitute "IMPROVEMENT".

Page 36, line 1, strike "GROWTH" and substitute "IMPROVEMENT";

line 9, strike "GROWTH" and substitute "IMPROVEMENT";

line 14, strike "GROWTH" and substitute "IMPROVEMENT";

line 18, strike "GROWTH" and substitute "IMPROVEMENT";

line 24, strike "GROWTH" and substitute "IMPROVEMENT".

Page 37, line 12, strike "GROWTH" and substitute "IMPROVEMENT";

line 27, strike "GROWTH" and substitute "IMPROVEMENT".

Amendment No. 4(L.042), by Senator Pascoe.

Amend the Appropriations Committee Report, dated April 9, 2002, page 6, strike lines 10 and 11 and substitute the following:

"BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

22-7-605. School accountability reports - format. (9.5) THE DEPARTMENT SHALL NOT INCLUDE ON ANY SCHOOL ACCOUNTABILITY REPORT A STATEMENT THAT THE INFORMATION PROVIDED IN SAID REPORT IS INDEPENDENTLY AUDITED AND VERIFIED FOR ACCURACY UNLESS SUCH INFORMATION HAS IN FACT BEEN SO AUDITED AND VERIFIED.

(12) (a) No".

Amendment No. 5(L.043), by Senator Pascoe.

Amend the Appropriations Committee Report, dated April 9, 2002, page 2, strike lines 30 through 33.

Page 3 of the Appropriations Committee Report, strike lines 1 through 4;

after line 4 of the Appropriations Committee Report, insert the following:

""Page 7, strike lines 13 and 14 and substitute the following:";

line 7 of the Appropriations Committee Report, strike "22-7-409.;" and substitute "22-7-409."."";

strike lines 8 through 16 of the Appropriations Committee Report and substitute the following:

"Page 2 of the committee report, strike line 28 and substitute the following:";

strike lines 20 and 21 of the Appropriations Committee Report.

Strike page 4 of the Appropriations Committee Report.

Page 5 of the Appropriations Committee Report, strike lines 1 through 10.

Amendment No. 6(L.044), by Senator Pascoe.

Amend the Appropriations Committee Report, dated April 9, 2002, page 5, after line 12, insert the following:

SB02-080

"after line 8 of the committee report, insert the following:

"Page 11, line 1, after "22-7-605", insert "(1),";

line 9 of the committee report, strike "Page 11,";

after line 11 of the committee report, insert the following:

"strike line 9 and substitute the following:

"22-7-605. School accountability reports - format. (1) (a) Starting in the academic year 2000-01, and for each academic year thereafter, the department shall issue an accountability report for each public school in the state. The accountability report shall be issued in an easy-to-read format and, STARTING IN THE ACADEMIC YEAR 2002-03, AND FOR EACH ACADEMIC YEAR THEREAFTER, shall include the public school's overall academic performance GROWTH rating. The department shall utilize the methodology described in section 22-7-604 and the state data reporting system established pursuant to section 22-7-603 to prepare an accountability report for every public school.

(b) THE DEPARTMENT SHALL PROVIDE TO EACH PUBLIC SCHOOL AT LEAST ONE COPY OF A GENERIC SCHOOL ACCOUNTABILITY REPORT CONTAINING THE INFORMATION DESCRIBED IN THIS SECTION AND AT LEAST ONE COPY OF SUCH GENERIC REPORT FOR EACH LANGUAGE IN WHICH ASSESSMENTS ARE ADMINISTERED IN THE STATE, EACH COPY TRANSLATED INTO ITS RESPECTIVE LANGUAGE. EACH SCHOOL DISTRICT MAY DUPLICATE AND DISTRIBUTE SUCH TRANSLATED GENERIC REPORTS AS IT DEEMS APPROPRIATE.

(3) (a) The";".

Amendment No. 7(L.045), by Senator Pascoe.

Amend the Appropriations Committee Report, dated April 9, 2002, page 26, strike lines 33 and 34 and substitute the following:

"Page 7 of the committee report, strike line 19 substitute the following:

"users to easily compare schools' overall academic performance GROWTH ratings as";

line 29 of the committee report, strike "contract." and substitute "contract.";

Page 27 of the Appropriations Committee Report, after line 12, insert the following:

""Page 25, line 1, strike "a school improvement" and substitute "a school improvement AN ACADEMIC GROWTH";

line 6, strike "a school improvement" and substitute "a school improvement AN ACADEMIC GROWTH.";

line 13 of the Appropriations Committee Report, strike ""Page 27," and substitute "Page 27,".

Amendment No. 8(L.046), by Senator Pascoe.

Amend the Appropriations Committee Report, dated April 9, 2002, page 1, after line 4, insert the following:

""strike lines 20 and 21 and substitute the following:

"IN THAT SCHOOL OR IN ANOTHER PUBLIC SCHOOL IN COLORADO; AND";

strike lines 26 and 27 and substitute the following:

"Statutes, are amended to read:".

OPage 6, strike lines 10 through 13;";

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

SB02-080

line 5 of the Appropriations Committee Report, strike ""Page 6,".

Page 5 of the Appropriations Committee Report, strike line 17 and substitute the following:

""Page 16, strike lines 11 through 16 and substitute the following:

"FONT, A COLUMN ENTITLED "ACADEMIC RATING OF NEW STUDENTS ENROLLED*" AND BELOW THIS TITLE SHALL BE THE CATEGORIES OF "ADVANCED", "PROFICIENT", "PARTIALLY PROFICIENT", AND "UNSATISFACTORY".";".

Amendment No. 9(L.047), by Senator Pascoe.

Amend the Appropriations Committee Report, dated April 9, 2002, page 26, strike line 32 and substitute the following:

"Statutes, ";";

strike line 27 of the committee report and substitute the following:

"September 15 of each year thereafter; EXCEPT THAT, AFTER THE EFFECTIVE DATE OF THIS ACT, IF THE DEPARTMENT HAS COMPLIED WITH PARAGRAPH (b) OF SUBSECTION (3) OF THIS SECTION, THE DEPARTMENT SHALL DELIVER SAID REPORT TO THE PUBLIC SCHOOL BY DECEMBER 15, 2002, AND BY DECEMBER 15 OF EACH YEAR THEREAFTER. The department".

Amendment No. 10(L.048), by Senator Pascoe.

Amend the Appropriations Committee Report, dated April 9, 2002, page 27, after line 21, insert the following:

"Page 8 of the committee report, after line 4 insert the following:

"Page 30, line 3, strike "TEN" and substitute "SIX";

line 4, after "APPOINTED", insert "BY THE GOVERNOR";

strike line 5 and substitute the following:

"(I) TWO TEACHERS WHO ARE";

line 8, strike "EDUCATION," and substitute "EDUCATION";

line 9, strike "APPOINTED BY THE GOVERNOR,";

line 12, strike "PERSON, APPOINTED BY THE GOVERNOR" and substitute "PERSON";

strike line 14 and substitute the following:

"(IV) TWO PERSONS REPRESENTING THE";

strike lines 16 through 25 and substitute the following:

"(b) NO MORE THAN THREE MEMBERS OF THE COMMITTEE SHALL BE MEMBERS OF THE SAME POLITICAL PARTY.";

line 27, strike "COMMITTEE, INCLUDING" and substitute "COMMITTEE".

Page 31, line 1, strike "LEGISLATIVE MEMBERS, ";";

line 5 of the committee report, strike "Page 31, ".";

line 22 of the Appropriations Committee Report, strike "Page 8 of the committee report, line 6," and substitute "line 6 of the committee report,".

Amendment No. 11(L.055), by Senator Pascoe.

Amend the Appropriations Committee Report, dated April 9, 2002, page

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

SB02-080

1, strike lines 4 through 15.

Page 2 of the Appropriations Committee Report, strike lines 1 through 27.

Page 6 of the Appropriations Committee Report, strike lines 8 through 27.

Strike pages 7 through 26 of the Appropriations Committee Report.

Page 27 of the Appropriations Committee Report, strike lines 1 through 12 and substitute the following:

"Page 7 of the committee report, after line 31, insert the following:

"Page 23, line 24, after "22-7-607.5", insert "(1) (a),";

strike lines 26 and 27 and substitute the following:

"22-7-607.5. Teacher pay incentive program - repeal. (1) As used in this section, unless the context otherwise requires:

(a) (I) "Eligible school" means, FOR THE 2001-02 SCHOOL YEAR, a public school that receives an academic performance rating of "low" or "unsatisfactory", pursuant to section 22-7-604, for the 2000-01 school year.

(II) "ELIGIBLE SCHOOL" MEANS, FOR THE 2002-03 SCHOOL YEAR AND SCHOOL YEARS THEREAFTER, A PUBLIC SCHOOL THAT RECEIVES AN ACADEMIC PERFORMANCE RATING OF "UNSATISFACTORY", PURSUANT TO SECTION 22-7-604, FOR THE 2000-01 SCHOOL YEAR.

(2) (a) (I) There is hereby established in the department the teacher pay".

Page 24, line 2, strike "In" and substitute "EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), in";

after line 21, insert the following:

"(II) ANY PUBLIC SCHOOL THAT QUALIFIED FOR FUNDING AS AN ELIGIBLE SCHOOL, AS DEFINED IN SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION, FOR THE 2001-02 BUDGET YEAR BUT DOES NOT QUALIFY AS AN ELIGIBLE SCHOOL, AS DEFINED IN SUBPARAGRAPH (II) OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION, SHALL RECEIVE FUNDING PURSUANT TO THIS SECTION FOR THE 2001-02 BUDGET YEAR ONLY.";

strike lines 22 through 24 and substitute the following:

"(b) The per pupil grant amount shall be an amount equal to twelve million ~~six~~ ~~THREE~~ ~~hundred~~ ~~thirty~~ TWENTY-FIVE THOUSAND SEVEN HUNDRED FORTY ~~thousand~~ dollars divided by the total number of students enrolled in all eligible schools." .";

line 13 of the Appropriations Committee Report, strike "'Page 27," and substitute "Page 27,".

Page 28 of the Appropriations Committee Report, strike lines 8 through 16 and substitute the following:

"strike lines 14 through 27.";

line 17 of the Appropriations Committee Report, strike "10.'" and substitute "10.'";

after line 17 of the Appropriations Committee Report, add the following:

"after line 18, insert the following:

"SECTION 27. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the state education fund created in section 17 (4) of article IX of the state

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

SB02-080

constitution, not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2002, the sum of two hundred forty-four thousand two hundred sixty dollars (\$244,260) or so much thereof as may be necessary, for the implementation of section 22-7-605, Colorado Revised Statutes.

(2) For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 2002, shall be adjusted as follows:

(a) The cash funds exempt appropriation to the department of education, assistance to public schools, grant programs and other distributions, for the teacher pay incentive program, is decreased by three hundred four thousand two hundred sixty dollars (\$304,260). Said sum shall be from the state education fund, created pursuant to section 17 (4) of article IX of the state constitution.

SECTION 28. Effective date. This act shall take effect upon passage; except that section 27 of this act shall not take effect if House Bill 02-1349 is enacted at the Second Regular Session of the Sixty-third General Assembly and becomes law."

Renumber succeeding section accordingly.

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

Amendment No. 12(L.054), by Senator Linkhart.

Amend the Appropriations Committee Report, dated April 9, 2002, page 28, line 17, strike "10." and substitute "10;"

after line 17, add the following:

"after line 18, insert the following:

"SECTION 22. 22-33-104 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

22-33-104. Compulsory school attendance. (4) (c) (I) THE BOARD OF EDUCATION SHALL SUBMIT TO THE DEPARTMENT OF EDUCATION AGGREGATED DATA REGARDING:

(A) BOTH EXCUSED AND UNEXCUSED ABSENCES FOR EACH SCHOOL IN THE SCHOOL DISTRICT; AND

(B) ANY PROCEEDINGS TO COMPEL ATTENDANCE INITIATED PURSUANT TO SECTION 22-33-108.

(II) THE STATE BOARD OF EDUCATION SHALL SET BY RULE THE FREQUENCY AND FORM OF THE DATA SUBMISSION DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (C). THE DATA MAY BE SUBMITTED ELECTRONICALLY THROUGH THE COMPREHENSIVE DATA COLLECTION AND REPORTING SYSTEM DEVELOPED AND IMPLEMENTED PURSUANT TO SECTION 22-7-603."

Renumber succeeding section accordingly."

Amendment No. 13(L.056), by Senator Tupa.

Amend the Appropriations Committee Report, dated April 9, 2002, page 27, strike line 12 and substitute the following:

"line 29 of the committee report, change the second period to a semicolon;

strike line 31 of the committee report and substitute the following:

"strike lines 24 and 25 and substitute the following:

"SECTION 8. 22-7-607.5, Colorado Revised Statutes, is

SB02-080

amended to read:";

after line 26, insert the following:

"(1) As used in this section, unless the context otherwise requires:

(a) "EDUCATOR" MEANS A PERSON WHO IS LICENSED PURSUANT TO ARTICLE 60.5 OF THIS TITLE, OR AUTHORIZED BY A LETTER OF AUTHORIZATION ISSUED PURSUANT TO SECTION 22-60.5-111, AS A TEACHER, A SPECIAL SERVICES PROVIDER, OR A PRINCIPAL, AND ANY PERSON WHO IS EMPLOYED AS A RESIDENT TEACHER PURSUANT TO SECTION 22-32-110.3.

(a) (a.5) (I) "Eligible school" means a public school that receives an academic performance rating of "low" or "unsatisfactory", pursuant to section 22-7-604, for the 2000-01 school year.

(II) "ELIGIBLE SCHOOL" MEANS, FOR THE 2002-03 SCHOOL YEAR AND SCHOOL YEARS THEREAFTER, A PUBLIC SCHOOL THAT RECEIVES AN ACADEMIC PERFORMANCE RATING OF "UNSATISFACTORY", PURSUANT TO SECTION 22-7-604, FOR THE 2000-01 SCHOOL YEAR.

(b) "Program" means the ~~teacher~~ EDUCATOR pay incentive program established pursuant to subsection (2) of this section.

(c) ~~"Teacher" means a person who is licensed pursuant to article 60.5 of this title, or authorized by a letter of authorization issued pursuant to section 22-60.5-111, to teach and is primarily engaged in teaching during the majority of a school day.";~~

line 27, after "(a)", insert "(I)", and strike "teacher" and substitute "teacher EDUCATOR".

Page 24, line 2, strike "teachers. In" and substitute "teachers EDUCATORS. EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), in";

strike lines 8 through 21 and substitute the following:

~~"eligible school. If, in any school year during the period in which the eligible school receives grants, the eligible school receives a school improvement rating of "significant improvement", the eligible school shall receive an additional award in an amount equal to the significant improvement bonus per pupil amount calculated pursuant to paragraph (c) of this subsection (2), multiplied by the number of students enrolled in the eligible school. If, in any school year during the period in which the eligible school receives grants, the eligible school receives a school improvement rating of "improvement", the eligible school shall receive an additional award in an amount equal to the improvement bonus per pupil amount calculated pursuant to paragraph (d) of this subsection (2), multiplied by the number of students enrolled in the eligible school.~~

(II) ANY PUBLIC SCHOOL THAT QUALIFIED FOR FUNDING AS AN ELIGIBLE SCHOOL, AS DEFINED IN SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION, FOR THE 2001-02 BUDGET YEAR BUT DOES NOT QUALIFY AS AN ELIGIBLE SCHOOL, AS DEFINED IN SUBPARAGRAPH (II) OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION, SHALL RECEIVE FUNDING PURSUANT TO THIS SECTION FOR THE 2001-02 BUDGET YEAR ONLY.";

strike lines 25 through 27 and substitute the following:

(c) ~~The significant improvement bonus per pupil amount shall be an amount equal to four hundred twenty thousand dollars divided by the total number of students enrolled in all eligible schools that receive a school improvement rating of "significant improvement".~~

(d) ~~The improvement bonus per pupil amount shall be an amount equal to two hundred ten thousand dollars divided by the total number of students enrolled in all eligible schools that receive a school improvement rating of "improvement".~~

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

SB02-080

Page 25, strike lines 1 through 7;
 line 9, strike "teachers" and substitute "~~teachers~~ EDUCATORS";
 line 10, strike "teacher." and substitute "~~teacher~~ EDUCATOR.";
 line 13, strike "teachers" and substitute "~~teachers~~ EDUCATORS".
 Page 26, line 12, strike "teacher" and substitute "~~teacher~~ EDUCATOR";
 line 13, strike "teacher" and substitute "~~teacher~~ EDUCATOR";
 line 19, strike "teacher" and substitute "~~teacher~~ EDUCATOR".
 Page 27, after line 1, insert the following:
 "(5) This section is repealed, effective July 1, 2005."";
 line 13 of the Appropriations Committee Report, strike "'Page 27,".

Amendment No. 14(L.033), by Senator Andrews.

Amend printed bill, page 14, line 17, strike "EIGHT" and substitute "NINE";
 line 26, strike "AND";
 line 27, strike "CODE"." and substitute "CODE"; AND";
 after line 27, insert the following:

 "(k) "TEACHES RESPECT FOR THE FLAG OF THE UNITED STATES OF AMERICA AND THE MEANING OF PATRIOTISM"."

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

SB02-194

by Senator(s) Thiebaut; also Representative(s) Grossman--Concerning limitations on payments made by the state for the employment of certain legal counsel paid on an hourly basis.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, April 25, page 985 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 Special Orders--Second Reading of Bills Calendar (SB02-205, SB02-209, SB02-207, SB02-218, SB02-221, SB02-210, HB02-1113, HB02-1417, HB02-1323, HB02-1359, HB02-1324) of Friday, April 26, was laid over until the General Orders--Second Reading of Bills Calendar of Monday, April 29, retaining its place on the calendar.

AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT

SB02-171

by Senator(s) Thiebaut; also Representative(s) Grossman--Concerning the requirement that the state personnel director authorize payroll deductions to employee organizations representing state employees when a written request for the deduction is received.

Senator McElhany moved to amend the Report of the Committee of the Whole to show that the following McElhany floor amendment, (L.003) to SB 02-171, did pass.

Amend printed bill, page 2, line 7, after "designee." insert "THE STATE EMPLOYEE WHO WOULD LIKE A PAYROLL DEDUCTION MADE FOR PAYMENT TO AN EMPLOYEE ORGANIZATION SHALL PROVIDE WRITTEN AUTHORIZATION TO THE STATE PERSONNEL DIRECTOR, THE DIRECTOR'S DESIGNEE, OR THE EMPLOYEE ORGANIZATION TO WHOM PAYMENT WILL BE MADE. IF THE STATE EMPLOYEE PROVIDES THE WRITTEN AUTHORIZATION TO THE EMPLOYEE ORGANIZATION, THE ORGANIZATION SHALL FORWARD SUCH AUTHORIZATION TO THE STATE PERSONNEL DIRECTOR. IF THE

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

SB02-171

EMPLOYEE ORGANIZATION FAILS TO FORWARD THE AUTHORIZATION TO THE STATE PERSONNEL DIRECTOR, NO PAYROLL DEDUCTION SHALL BE MADE."

The amendment was declared **lost** by the following roll call vote:

YES	13	NO	20	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	N	May	E	Takis	N
Andrews	Y	Gordon	N	McElhany	Y	Tate	N
Arnold	Y	Hagedorn	N	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	N	Nichol	N	Teck	Y
Chlouber	N	Hernandez	N	Owen	Y	Thiebaut	N
Dyer	Y	Hillman	Y	Pascoe	N	Tupa	N
Entz	N	Isgar	N	Perlmutter	N	Windels	N
Epps	E	Lamborn	Y	Phillips	N	Mr. President	N
Evans	Y	Linkhart	N	Reeves	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Perlmutter, 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: **SB02-171** as amended, **SB02-080** as amended, **SB02-194** as amended.
Laid over until Monday, April 29: **SB02-205, SB02-209, SB02-207, SB02-218, SB02-221, SB02-210, HB02-1113, HB02-1417, HB02-1323, HB02-1359, HB02-1324**

COMMITTEE OF REFERENCE REPORTS

Government, Veterans and Military Relations, and Transportation

After consideration on the merits, the committee recommends that **HB02-1416** 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 16, strike "ONE HUNDRED TWENTY" and substitute "NINETY".

Page 4, line 13, strike "NINETY" and substitute "ONE HUNDRED TWENTY";

strike lines 18 through 21 and substitute the following:

"UNLESS THE MERGER HAS BEEN APPROVED BY A MAJORITY OF THE".

Government, Veterans and Military Relations, and Transportation

After consideration on the merits, the committee recommends that **SB02-202** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 7, line 10, after the period, add "FOR PURPOSES OF THIS SECTION, "CORPORATE AFFILIATE" MEANS A SUBSIDIARY CORPORATION OF THE LUXURY LIMOUSINE COMPANY, THE PARENT CORPORATION OF THE LUXURY LIMOUSINE COMPANY, OR A SUBSIDIARY OF THE PARENT CORPORATION OF THE LUXURY LIMOUSINE COMPANY."

MESSAGE FROM THE HOUSE

April 26, 2002

Mr. President:

The House has adopted and transmits herewith HJR02-1073, as printed in House Journal, April 18, pages 1449-1450, and amended as printed in House Journal, April 26.

The House has passed on Third Reading and returns herewith SB02-054,142,188.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
 HB02-1397, amended as printed in House Journal, April 25, pages 1591-1592.
 HB02-1189, amended as printed in House Journal, April 25, page 1593.
 SB02-071, amended as printed in House Journal, April 24, pages 1547-1548.
 SB02-156, amended as printed in House Journal, April 25, page 1588.
 SB02-057, amended as printed in House Journal, April 25, pages 1593-1594.
 SB02-078, amended as printed in House Journal, April 25, page 1592.
 SB02-109, amended as printed in House Journal, April 25, pages 1592-1593.

The House has postponed indefinitely SB02-115,009,148. The bills are returned herewith.

April 26, 2002

Mr. President:

The House has postponed indefinitely SB02-043, 178. The bills are returned herewith.

The House has adopted the First Report of the First Conference Committee on
 HB02-1019, as printed in House Journal, April 26, and has repassed the bill as amended.
 The House has adopted the First Report of the First Conference Committee on
 SB02-124, as printed in House Journal, April 24, page 1550, and has repassed the bill as
 so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on
 SB02-099, as printed in House Journal, April 25, pages 1595-1596, and has
 repassed the bill as so amended. The bill is returned herewith.

MESSAGE FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB02-1397 and 1189 and SB02-071, 156, 078, and 109.

INTRODUCTION OF RESOLUTIONS

HJR02-1073 by Representative(s) Lawrence; also Senator(s) Hanna--Concerning awareness of Autism,
 and, in connection therewith, designating April 2002 as Autism Awareness Month and
 April 27, 2002, as Autism Awareness Day.

Senator Hanna 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.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	E	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		

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

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
 ON SB02-099**

 THIS REPORT AMENDS THE REREVISED BILL

SB02-099

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on SB02-099,
concerning the updating of statutory provisions regarding the state
military forces, has met and reports that it has agreed upon the following:

That the Senate accede to the House amendments made to the bill,
as said amendments appear in the rerevised bill, with the following
changes:

Amend rerevised bill, page 2, line 3, strike "A NEW SUBSECTION" and
substitute "THE FOLLOWING NEW SUBSECTIONS".

Page 3, after line 5, insert the following:

"(8) "TERRORIST" MEANS A PERSON WHO HAS ENGAGED IN, OR IS
SUSPECTED OF ENGAGING IN, ACTS OF TERRORISM, AS THAT TERM IS
DEFINED IN 18 U.S.C. SEC. 3077 (1), AS AMENDED.";

line 9, strike "(1) and (7)," and substitute "(1), (2), and (7),";

line 17, after "saboteurs,", insert "TERRORISTS,".

Page 4, after line 2, insert the following:

"(2) Any military forces of another state who are in fresh pursuit
of insurrectionists, saboteurs, TERRORISTS, enemies, or enemy forces may
continue such pursuit into this state until the military or police forces of
this state or the forces of the United States have had a reasonable
opportunity to take up the pursuit or to apprehend or capture the persons
pursued, and the pursuing forces may arrest or capture such persons
within this state while in fresh pursuit. Any such persons who are
captured or arrested by the military forces of such other state while in this
state shall, without unnecessary delay, be surrendered to the military or
police forces of this state to be dealt with according to law."

Page 12, after line 12, insert the following:

"(6) "TERRORIST" MEANS A PERSON WHO HAS ENGAGED IN, OR IS
SUSPECTED OF ENGAGING IN, ACTS OF TERRORISM, AS THAT TERM IS
DEFINED IN 18 U.S.C. SEC. 3077 (1), AS AMENDED."

Page 16, line 27, after "saboteurs,", insert "TERRORISTS,".

Page 17, after line 12, insert the following:

"SECTION 24. 28-4-109, Colorado Revised Statutes, is amended
to read:

28-4-109. Forces of other states - privilege. Any military forces
or organizations, units, or detachments thereof of another state who are
in fresh pursuit of insurrectionists, saboteurs, TERRORISTS, enemies, or
enemy forces may continue such pursuit into this state until the military
or police forces of this state or the forces of the United States have had
a reasonable opportunity to take up the pursuit or to apprehend or capture
such persons within this state while in fresh pursuit. Any such person
who is captured or arrested by the military forces of such other state
while in this state, without unnecessary delay, shall be surrendered to the
military or police forces of this state to be dealt with according to law.
This section shall not be construed so as to make unlawful any arrest in
this state which would otherwise be lawful, and nothing contained in this
section shall be deemed to repeal any of the provisions of sections
16-3-104 and 16-3-106, C.R.S."

Renumber succeeding sections accordingly.

Respectfully submitted,

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

SB02-099

Senate Committee:	House Committee:	1
		2
(Signed)	(Signed)	3
Senator Nichol, Chairman	Representative Spradley, Chairman	4
		5
(Signed)	(Signed)	6
Senator Takis	Representative Sinclair	7
		8
(Signed)	(Signed)	9
Senator Entz	Representative Miller	10
		11

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB02-124**

THIS REPORT AMENDS THE REREVISED BILL

To the President of the Senate and the
 Speaker of the House of Representatives:

Your first conference committee appointed on SB02-124, concerning the resolution of disputes arising from a charter school contract, and, in connection therewith, specifying procedures for the use of forms of alternative dispute resolution and modifying the process of appeals to the state board of education, has met and reports that it has agreed upon the following:

That the Senate accede to the House amendments made to the bill, as said amendments appear in the rerevised bill, with the following changes:

Amend rerevised bill, page 3, strike lines 13 through 17 and substitute the following:

"(c) THE NEUTRAL THIRD PARTY SHALL APPORTION ALL COSTS REASONABLY RELATED TO THE MUTUALLY AGREED UPON DISPUTE RESOLUTION PROCESS."

Respectfully submitted,

Senate Committee:	House Committee:	42
		43
(Signed)	(Signed)	44
Senator Windels, Chairman	Representative Hefley, Chairman	45
		46
(Signed)	(Signed)	47
Senator Pascoe	Representative T. Williams	48
		49
(Signed)	(Signed)	50
Senator Entz	Representative Romanoff	51
		52

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, April 26, was laid over until Monday, April 29, retaining its place on the calendar.

General Orders--Second Reading of Bills: **HB02-1310, HB02-1338, SB02-195, SB02-204, SB02-184, SB02-157, SB02-042, HB02-1084, HB02-1339, HB02-1173, SB02-190, SB02-200, HB02-1407.**

Consideration of Resolutions: **HJR02-1003, SJR02-004, SJR02-006, HJR02-1015, HJR02-1021, SJR02-013, HJR02-1027, SR02-009, HJR02-1035, SJR02-023, SJR02-025, SJR02-026, SR02-010, SJR02-035, SR02-014, SJR02-036, SJR02-037, SJR02-040, HJR02-1038.**

Consideration of House Amendments to Senate Bills: **SB02-141, SB02-136, SB02-161, SB02-018, SB02-087, SB02-086.**

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

Consideration of Governor's Appointments:

Examining Board of Plumbers

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

On motion of Senator Thiebaut, the Senate adjourned until 10:00 a.m., Monday, April 29, 2002.

Approved:

Stan Matsunaka
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17