

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

Ninety-second Legislative Day

Wednesday, April 10, 2002

Prayer By the chaplain, Father Costas Pavlakos, Assumption Greek Orthodox Cathedral.

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

Roll Call Present--Total, 31.
Absent/Excused--Andrews, Evans, Hagedorn, Linkhart--Total, 4.
Present later--Evans, Hagedorn, Linkhart.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Windels, reading of the Journal of Tuesday, April 9, was dispensed with and the Journal was approved as corrected by the Secretary.

**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:

HB02-1348 by Representative(s) Harvey; also Senator(s) Dyer--Concerning the transfer of the poison control program from the department of health care policy and financing to the department of public health and environment, and, in connection therewith, making a transfer of appropriation.

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	E	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	E	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	E	Linkhart	Y	Reeves	Y		

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

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

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	E	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	E	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	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:

SB02-176 by Senator(s) Matsunaka, Perlmutter, Reeves; --Concerning limitations on the authority of the Colorado commission on higher education.

Laid over until Friday, April 12, retaining its place on the calendar.

HB02-1254 by Representative(s) Webster; also Senator(s) Reeves--Concerning the "Public Securities Information Reporting Act".

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

Table with 8 columns: YES (33), NO (0), EXCUSED (2), ABSENT (0). Rows list members: Anderson, Andrews, Arnold, Cairns, Chlouber, Dyer, Entz, Epps, Evans, Fitz-Gerald, Gordon, Hagedorn, Hanna, Hernandez, Hillman, Isgar, Lamborn, Linkhart, May, McElhany, Musgrave, Nichol, Owen, Pascoe, Perlmutter, Phillips, Reeves, Takis, Tate, Taylor, Teck, Thiebaut, Tupa, Windels, Mr. President.

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

Co-sponsor added: Taylor.

HB02-1342 by Representative(s) Mitchell, Groff, Grossman, Harvey, Weddig, White; also Senator(s) Fitz-Gerald, Andrews, Perlmutter--Concerning public access to information relating to public bodies, and, in connection therewith, clarifying that public officials and employees are persons for purposes of the public records act, article 72 of title 24, Colorado Revised Statutes, and specifying the manner in which public bodies are to record their meetings.

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

Table with 8 columns: YES (33), NO (0), EXCUSED (2), ABSENT (0). Rows list members: Anderson, Andrews, Arnold, Cairns, Chlouber, Dyer, Entz, Epps, Evans, Fitz-Gerald, Gordon, Hagedorn, Hanna, Hernandez, Hillman, Isgar, Lamborn, Linkhart, May, McElhany, Musgrave, Nichol, Owen, Pascoe, Perlmutter, Phillips, Reeves, Takis, Tate, Taylor, Teck, Thiebaut, Tupa, Windels, Mr. President.

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

Co-sponsors added: Pascoe, Tupa.

HB02-1210 by Representative(s) Spradley; also Senator(s) Musgrave--Concerning requirements for disabled persons to obtain special license plates, and, in connection therewith, allowing such persons to apply for such license plates for a motor vehicle owned by a trust set up for the person with a disability.

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

Table with 8 columns: YES (33), NO (0), EXCUSED (2), ABSENT (0). Rows list members: Anderson, Andrews, Arnold, Cairns, Chlouber, Dyer, Entz, Epps, Evans, Fitz-Gerald, Gordon, Hagedorn, Hanna, Hernandez, Hillman, Isgar, Lamborn, Linkhart, May, McElhany, Musgrave, Nichol, Owen, Pascoe, Perlmutter, Phillips, Reeves, Takis, Tate, Taylor, Teck, Thiebaut, Tupa, Windels, Mr. President.

HB02-1210 A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

SB02-189 by Senator(s) Hernandez; also Representative(s) Boyd--Concerning the creation of a metropolitan affordable housing district.

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

YES	24	NO	10	EXCUSED	1	ABSENT	0
Anderson	N	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	E	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	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Hagedorn, Hanna, Linkhart, Pascoe, Perlmutter, Phillips, Tate, Windels.

SB02-188 by Senator(s) Tate; also Representative(s) Spradley--Concerning a requirement that health benefit plans issue prescription cards containing uniform information.

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

YES	32	NO	2	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	E	Gordon	Y	McElhany	Y	Tate	Y
Arnold	N	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	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Hagedorn, Hanna, Hernandez, Isgar, Matsunaka, Nichol, Pascoe, Tupa, Windels.

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 Memorials, **SJM02-001**.

CONSIDERATION OF MEMORIALS

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

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	E	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

SJM02-001 Co-sponsors added: The present roll call of the Senate.

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, **SJR02-028, SJR02-029.**

CONSIDERATION OF RESOLUTIONS

SJR02-028 by Senator(s) Entz; also Representative(s) Snook--Concerning commemoration of the one hundred fiftieth anniversary of the San Luis People's Ditch, Colorado's oldest water right.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	E	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

SJR02-029 by Senator(s) Evans; also Representative(s) Harvey--Concerning honoring 2001-2002 champion high school sports teams of Douglas County.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	E	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

MESSAGE FROM THE HOUSE

April 10, 2002

Mr. President:

The House has adopted and transmits herewith HJR02-1045, as printed in House Journal, April 9, pages 1226-1227.

The House has adopted and transmits herewith HJR02-1046, as printed in House Journal, April 9, pages 1227-1228.

The House has adopted and transmits herewith HJR02-1047, as printed in House Journal, April 9, pages 1228-1229.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR02-1045 by Representative(s) Harvey; also Senator(s) Evans--Concerning honoring the 2001 ThunderRidge High School football team for winning the State 4A Championship.

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

HJR02-1045 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 Evans, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	E	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

HJR02-1046 by Representative(s) Harvey; also Senator(s) Evans--Concerning honoring the ThunderRidge High School boys basketball team for winning the 2002 state 5A championship.

Senator Evans 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 Evans, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	E	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

HJR02-1047 by Representative(s) Harvey; also Senator(s) Evans--Concerning honoring the ThunderRidge High School boys golf team for winning the 2001 state 5A championship.

Senator Evans 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 Evans, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	E	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

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, **SJR02-018**.

CONSIDERATION OF RESOLUTIONS

SJR02-018

by Senator(s) Isgar; also Representative(s) Stafford--Concerning the twentieth anniversary of business lending by the Colorado housing and finance authority.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	E	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

Co-sponsors added: The 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, **SB02-154, SB02-027, SB02-063, SB02-019, SB02-053, SB02-196, HB02-1300** were made Special Orders at 9:47 a.m.

Committee of the Whole

The hour of 9:47 a.m. having arrived, Senator Windels moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Windels 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:

SB02-154

by Senator(s) Gordon, Anderson; also Representative(s) Rippy--Concerning certain communications by persons in an election campaign that relate to a public office that is to be voted on in such election.

(Amended in General Orders as printed in Senate Journal, April 3, pages 634-635.)

Amendment No. 4(L.005), by Senator Gordon.

Amend the Senate Judiciary Committee Report, dated, February 25, 2002, page 2, strike lines 17 through 20 and substitute the following:

"(d) THE NAME AND ADDRESS OF EACH MAJOR DONOR FUNDING THE ELECTIONEERING COMMUNICATION. FOR PURPOSES OF THIS PARAGRAPH (d), "MAJOR DONOR" SHALL MEAN ANY PERSON THAT, IN ANY GIVEN YEAR:

(I) CONTRIBUTES MORE THAN ONE HUNDRED DOLLARS TO A SEGREGATED ACCOUNT ESTABLISHED PURSUANT TO SUBSECTION (4) OF THIS SECTION FOR ELECTIONEERING COMMUNICATION PURPOSES;

(II) KNOWINGLY MAKES A CONTRIBUTION IN KIND OF GOODS OR SERVICES FOR ELECTIONEERING COMMUNICATION PURPOSES VALUED AT MORE THAN ONE HUNDRED DOLLARS; OR

(III) CONTRIBUTES A COMBINATION OF MONEY AND CONTRIBUTIONS IN KIND SATISFYING THE REQUIREMENTS OF SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (d), THE TOTAL VALUE OF WHICH IS MORE THAN ONE HUNDRED DOLLARS; AND".

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

SB02-027

by Senator(s) Hernandez; also Representative(s) Stafford, Mace, Romanoff--Concerning the creation of in-home support services.

SB02-027

Amendment No. 1, Health, Environment, Children & Families Committee Amendment.
(Printed in Senate Journal, January 24, page 65-66 and placed in members' bill file.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 9, page 705-706 and placed in members' bill file.)

Amendment No. 3(L.002), by Senator Hernandez.

Amend the Health, Environment, Children & Families Committee Report,
dated January 23, 2002, page 1, before line 1, insert the following:

"Amend printed bill, page 2, line 5, strike "FOR THE";

strike line 6.";

line 1 of the committee report, strike "Amend printed bill, page 3," and
substitute "Page 3,";

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

"line 18, after the second "THE", insert "PARENT OR";";

line 6 of the committee report, strike "PROVIDER." and substitute
"PROVIDER.";

strike lines 7 and 8 of the committee report and substitute the following:

"line 26, strike "TITLE;" and substitute "TITLE OR IS ELIGIBLE FOR THE
DISABLED CHILDREN CARE PROGRAM UNDER SECTION 26-4-509;".

Page 4, line 2, strike "JUDGMENT OR HAS" and substitute "JUDGMENT AND
THE ABILITY TO DIRECT HIS OR HER CARE, THE ELIGIBLE CHILD'S PARENT OR
GUARDIAN HAS SOUND JUDGMENT AND THE ABILITY TO DIRECT THE
ELIGIBLE CHILD'S CARE, OR THE PERSON HAS";";

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

"Page 5, line 2, strike "CENTER" and substitute "CENTERS";";

line 11 of the committee report, strike "Page 5,";

strike line 12 of the committee report and substitute the following:

"AUTHORIZED REPRESENTATIVE OR PARENT OR GUARDIAN";".

Page 2 of the committee report, strike lines 11 and 12 and substitute the
following:

"strike line 10 and substitute the following:

"ELIGIBILITY FOR IN-HOME SUPPORT SERVICES; EXCEPT THAT FOR ELIGIBLE
DISABLED CHILDREN THE STATE DEPARTMENT SHALL DESIGNATE THE
ENTITY THAT WILL DETERMINE THE CHILD'S ELIGIBILITY. THE MEDICAL
SERVICES BOARD";

after line 15 insert the following:

"(6) SECTION 26-4-609 DOES NOT APPLY TO ANY PARENT WHO
PROVIDES IN-HOME SUPPORT SERVICES TO AN ELIGIBLE DISABLED CHILD
PURSUANT TO THIS PART 13.";

strike line 16 of the committee report and substitute the following:

"BOARD";

strike line 27 and substitute the following:

"DISABLED AND TO ELIGIBLE DISABLED CHILDREN AND THE NUMBER OF
PERSONS RECEIVING SUCH SERVICES.";

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

SB02-063 by Senator(s) Hanna; also Representative(s) Groff--Concerning assistance to licensed educators in obtaining national credentials, and making an appropriation in connection therewith. 1
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Amendment No. 1, Education Committee Amendment. 5
(Printed in Senate Journal, March 6, page 414-416 and placed in members' bill file.) 6
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Amendment No. 2, Appropriations Committee Amendment. 8
(Printed in Senate Journal, April 9, page 708-709 and placed in members' bill file.) 9
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As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 11
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SB02-019 by Senator(s) Lamborn; also Representative(s) Grossman--Concerning DNA testing of all felons. 13
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Amendment No. 1, Judiciary Committee Amendment. 16
(Printed in Senate Journal, February 5, page 144-151 and placed in members' bill file.) 17
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As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 19
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SB02-053 by Senator(s) Hernandez; --Concerning the designation of the thirty-first day of March as a legal holiday for the observation of the birthday of Cesar Estrada Chavez as "Cesar Chavez day". 22
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Declared lost on Second Reading. 27
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(For further action, see Roll Call on **SB02-053**.) 29
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SB02-196 by Senator(s) Perlmutter, Anderson, Hagedorn, Hernandez, McElhany, Phillips, Taylor, Teck; also Representative(s) Spradley, Chavez, Groff, Grossman, Kester, Stafford, White--Concerning real estate brokers who are engaged by members of the public. 31
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Laid over until Thursday, April 11, retaining its place on the General Orders--Second Reading of Bills calendar. 35
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HB02-1300 by Representative(s) Spence; also Senator(s) Evans--Concerning the preparation of teachers for licensure. 37
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Laid over until Thursday, April 11, retaining its place on the General Orders--Second Reading of Bills calendar. 41
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ROLL CALL ON SB02-053

SB02-053 by Senator(s) Hernandez; --Concerning the designation of the thirty-first day of March as a legal holiday for the observation of the birthday of Cesar Estrada Chavez as "Cesar Chavez day". 43
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Upon request of Senator Hernandez, a roll call vote was taken with the following result: 50
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YES	25	NO	9	EXCUSED	1	ABSENT	0
Anderson	N	Fitz-Gerald	Y	May	N	Takis	Y
Andrews	E	Gordon	Y	McElhany	N	Tate	Y
Arnold	N	Hagedorn	Y	Musgrave	Y	Taylor	Y
Cairns	N	Hanna	Y	Nichol	Y	Teck	N
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	Y
Dyer	N	Hillman	N	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Windels, 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: 52
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Passed on Second Reading: **SB02-154** as amended, **SB02-027** as amended, **SB02-063** as amended, **SB02-019** as amended, **SB02-053**.
Laid over until Thursday, April 11: **SB02-196**, **HB02-1300**.

COMMITTEE OF REFERENCE REPORTS

Agriculture
and Natural
Resources

After consideration on the merits, the committee recommends that **HB02-1339** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, after line 13, insert the following:

"**SECTION 2.** 12-47-202 (2) (a) (I) (G) and (2) (b), Colorado Revised Statutes, are amended to read:

"**12-47-202. Duties of state licensing authority.** (2) (a) (I) Rules and regulations made pursuant to paragraph (b) of subsection (1) of this section may cover, but shall not be limited to, the following subjects:

(G) Misrepresentation, unfair practices, CREDITTERMS, and unfair competition;

(b) ~~The state licensing authority shall make no rule regulating the sale on credit of any alcohol beverage."~~

Renumber succeeding sections accordingly.

Agriculture
and Natural
Resources

After consideration on the merits, the committee recommends that **HB02-1329** be referred favorably to the Committee of the Whole.

Education

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

HIGH TECHNOLOGY SCHOLARSHIP PROGRAM
ADVISORY COMMITTEE

for terms expiring July 1, 2003:

Amy A. Redfern of Louisville, Colorado, appointed;

John W. Rigen of Monument, Colorado, appointed.

Education

After consideration on the merits, the committee recommends that **SB02-126** be postponed indefinitely.

Education

After consideration on the merits, the committee recommends that **SJR02-024** be referred favorably to the Senate for final action.

MESSAGE FROM THE HOUSE

April 10, 2002

Mr. President:

The House has adopted and transmits herewith HJR02-1044, as printed in House Journal, April 9, pages 1225-1226.

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INTRODUCTION OF BILLS--FIRST READING

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

HB02-1222 by Representative(s) Tochtrop; also Senator(s) Nichol--Concerning careless driving when the person's driving of a motor vehicle is the proximate cause of at least bodily injury to a person riding a motorcycle.
Government, Veterans and Military Relations, and Transportation

HB02-1400 by Representative(s) Dean, Scott, Cadman, Clapp, Cloer, Coleman, Crane, Daniel, Fairbank, Fritz, Groff, Harvey, Hefley, Hoppe, Jahn, Kester, King, Larson, Lee, Mace, Marshall, Miller, Mitchell, Paschall, Rhodes, Rippy, Schultheis, Sinclair, Smith, Spence, Spradley, Stafford, Stengel, Swenson, Tapia, Tochtrop, Webster, Weddig, White, Williams T., Young; also Senator(s) Perlmutter, Lamborn--Concerning violations detected using automated vehicle identification devices.
Public Policy and Planning

SENATE SERVICES REPORT

Senate Services

Correctly printed: SB02-206, 207, 208, 209, 210; SJR02-029.

Correctly engrossed: SB02-188, 189.

Correctly reengrossed: SB02-090, 178.

Correctly revised: HB02-1210, 1254, 1336, 1342, 1348.

Correctly rerevised: HB02-1139, 1347.

Correctly enrolled: SB02-021.

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: SB02-013.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, April 10, was laid over until Thursday, April 11, retaining its place on the calendar.

General Orders--Second Reading of Bills--**HB02-1313, HB02-1324, SB02-042, SB02-089, SB02-157, SB02-173, SB02-184, HB02-1341.**

Consideration of Resolutions: **HJR02-1003, SJR02-004, SJR02-006, HJR02-1015, HJR02-1021, SJR02-013, SR02-008, HJR02-1027, SR02-009, HJR02-1035, SJR02-022, SJR02-023, SJR02-025, SJR02-026, SR02-010, SJR02-027.**

Consideration of House Amendments to Senate Bills: **SB02-113, SB02-114, SB02-032, SB02-141, SB02-020, SB02-136, SB02-099, SB02-128, SB02-151, SB02-132, SB02-161, SB02-182.**

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

Consideration of Governor's Appointments:

State Board of Parole

Transportation Commission

High Technology Scholarship Program Advisory Committee

Advisory Committee on Governmental Accounting

On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., Thursday, April 11, 2002.

Approved:

Stan Matsunaka
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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