

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

Forty-second Legislative Day

Tuesday, February 19, 2002

Prayer By the chaplain, Father Dennis Woerter, St. Dominic Catholic Parish.

Call to Order By the President at 11:00 a.m.

Roll Call Present--Total, 29
Absent/Excused--Hernandez, Isgar, Lamborn, Musgrave, Thiebaut, Windels--Total, 6.
Present later--Hernandez, Isgar, Windels.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator May, reading of the Journal of Friday, February 15, was dispensed with and the Journal was approved as corrected by the Secretary.

MESSAGE FROM THE HOUSE

February 18, 2002

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB02-1232,1158,1246,1206.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB02-1185, amended as printed in House Journal, February 15, pages 415-416 .
HB02-1162, amended as printed in House Journal, February 15, page 416.
HB02-1230, amended as printed in House Journal, February 15, pages 416-417.
HB02-1282, amended as printed in House Journal, February 15, page 417.
SB02-028, amended as printed in House Journal, February 15, page 417.

The House has adopted and transmits herewith HJR02-1016, as printed in House Journal, February 18.

February 19, 2002

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB02-1235,1231,1223,1211,1279,SB-025,& 014.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB02-1280, amended as printed in House Journal, February 18, page 434.
HB02-1245, amended as printed in House Journal, February 18, page 435.
HB02-1316, amended as printed in House Journal, February 18, page 435.
HB02-1217, amended as printed in House Journal, February 18, page 435.
HB02-1219, amended as printed in House Journal, February 18, pages 435-436.
SB02-072, amended as printed in House Journal, February 18, page 436.

MESSAGE FROM THE REVISOR

We herewith transmit:

Without comment, HB02-1232, 1158, 1246, and 1206; and.
Without comment, as amended, HB02-1185, 1162, 1230, 1282, and SB02-028.

INTRODUCTION OF BILLS--FIRST READING

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

SB02-167 by Senator Windels--Concerning the authority of the board of directors of the regional transportation district upon approval of the eligible electors of the district to increase the rate of sales tax levied by the district to a rate not to exceed one percent in order to raise revenue for a mass transportation system that is designed to be compatible with established transportation plans.
Government, Veterans and Military Relations, and Transportation

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR02-006 by Senator(s) Taylor; also Representative(s) White, Rippey--Concerning the honoring of Colorado's 2002 Olympic Winter Games athletes.

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

SJR02-007 by Senator Cairns; also Representative Rhodes--Concerning the possibility of economic losses resulting from a strike by the mechanics who are employed by United Air Lines.
Business, Labor and Finance

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:

SB02-064 by Senator Teck; also Representative Lee--Concerning employees in public schools, and, in connection therewith, allowing revocation of teacher licenses for failure to meet licensure standards and requiring school districts to adopt a communications policy for resolving issues between parents and teachers.

Laid over until Wednesday, February 20, retaining its place on the calendar.

SB02-127 by Senator Tupa; also Representative Vigil--Concerning criminal history record checks for educators.

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

YES	31	NO	0	EXCUSED	4	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	E
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	E	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	E	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, Hernandez, Hillman, Windels.

SB02-102 by Senator Perlmutter; also Representative Vigil--Concerning impact fees.

Laid over until Thursday, February 21, retaining its place on the calendar.

SB02-110 by Senator Matsunaka--Concerning the authority of local governments to provide incentives to encourage smart growth.

Laid over until Thursday, February 21, retaining its place on the calendar.

SB02-105

by Senator Entz; also Representative Borodkin--Concerning aviation in the state of Colorado, and, in connection therewith, creating an exception to noise abatement requirements for certain general aviation airports, expanding and modifying the duties of the aeronautics division and the Colorado aeronautical board, and enlarging the membership on the Colorado aeronautical board.

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	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	E
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	E	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: Hernandez, Isgar, Taylor.

SB02-143

by Senator Owen; also Representative Webster--Concerning the duties of a county treasurer, and, in connection therewith, requiring a county treasurer to address or resolve any issue raised in an audit of the treasurer's office and to report to the board of county commissioners regarding the disposition of the issue, subjecting a county treasurer to contempt for failure to comply with these requirements, and specifying the penalty for failure to perform the duties of a county treasurer.

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

YES	27	NO	5	EXCUSED	3	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	N
Andrews	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	N	Musgrave	E	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	E
Dyer	Y	Hillman	Y	Pascoe	N	Tupa	N
Entz	Y	Isgar	N	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	E	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**.

SB02-054

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

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	Y	Gordon	Y	McElhany	Y	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	E
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	Y
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	Y
Epps	Y	Lamborn	E	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**.

Committee of the Whole

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

SB02-100 by Senator Thiebaut; also Representative Tapia--Concerning the interment of deceased veterans.

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

SB02-117 by Senator Taylor; also Representative Vigil--Concerning the control of destructive rodent pests by governmental entities.

Amendment No. 1, Agriculture and Natural Resources Committee Amendment.
(Printed in Senate Journal, February 8, page 89 and placed in members' bill file.)

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

SB02-159 by Senator Evans; also Representative Plant--Concerning the revision of statutes in the Colorado Revised Statutes, as amended, amending or repealing obsolete, inconsistent, and conflicting provisions of law and clarifying the language to reflect the legislative intent of the laws.

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 Windels, the Report of the Committee of the Whole was adopted and, a majority of all members elected having voted in the affirmative, the following action was taken:

Passed on Second Reading: **SB02-100, SB02-117** as amended, **SB02-159**.

SENATE SERVICES REPORT

Senate Services Correctly engrossed: SB02-054, 064, 102, 105, 110, 127, 143; SJR02-005.

Correctly revised: HJR1004, 1009, 1014.

Correctly enrolled: SJR02-005.

On motion of Senator Phillips, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, February 19, was laid over until Wednesday, February 20, retaining its place on the calendar.

Consideration of Resolutions: **HJR02-1003, HJR02-1008, SJR02-004, HJR02-1005.**

Consideration of Governor's Appointments:

Colorado Water Conservation Board

Consideration fo House Amendments to Senate Bills: **SB02-031.**

On motion of Senator Phillips, the Senate adjourned until 9:00 a.m., Wednesday, February 20, 2002.

Approved:

Stan Matsunaka
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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