

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

Eighty-third Legislative Day

Monday, April 1, 2002

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

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

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Cairns, the reading of the Journal of Wednesday, March 27 was dispensed with and the Journal was approved as corrected by the Secretary.

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:

HB02-1013 by Representative(s) Spradley, Williams T.; also Senator(s) McElhany, Owen--Concerning the guaranteed issue of health insurance benefits for business groups of one.

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

Third Reading Amendment, by Senator McElhany.

Amend revised bill, page 2, line 9, strike "partnership:" and substitute "partnership: ~~who works twenty-four hours or more a week on a permanent basis and~~".

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

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

YES	24	NO	8	EXCUSED	3	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	E	McElhany	Y	Tate	N
Arnold	Y	Hagedorn	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hanna	N	Nichol	N	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	N
Epps	Y	Lamborn	Y	Phillips	N	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: Entz, Epps, Lamborn, Taylor, Teck.

HB02-1269 by Representative(s) Borodkin, Swenson; also Senator(s) May--Concerning the regulation of roadside advertising.

Laid over to follow **HB02-1218**.

HB02-1287 by Representative(s) Veiga; also Senator(s) Phillips--Concerning access to records for purposes of background checks conducted in connection with firearm transfers.

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

HB02-1287

YES	32	NO	0	EXCUSED	3	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	E	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	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: Anderson, Entz, Nichol, Perlmutter, Tupa.

HB02-1218

by Representative(s) Rippy; also Senator(s) Taylor--Concerning the requirement that any extension of an expiring tax be deemed in effect from the date of the first imposition of the tax when calculating the total sales and use tax imposed by all levels of government.

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	E	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	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: Entz, Isgar.

HB02-1269

by Representative(s) Borodkin, Swenson; also Senator(s) May--Concerning the regulation of roadside advertising.

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

YES	22	NO	10	EXCUSED	3	ABSENT	0
Anderson	Y	Fitz-Gerald	N	May	Y	Takis	Y
Andrews	Y	Gordon	E	McElhany	N	Tate	N
Arnold	Y	Hagedorn	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hanna	N	Nichol	Y	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	E
Dyer	Y	Hillman	Y	Pascoe	N	Tupa	N
Entz	Y	Isgar	Y	Perlmutter	N	Windels	N
Epps	Y	Lamborn	Y	Phillips	Y	Mr. President	N
Evans	Y	Linkhart	N	Reeves	Y		

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

Co-sponsors added: Epps.

HB02-1221

by Representative(s) Snook, Alexander, Hoppe, Miller, White; also Senator(s) Entz--Concerning the management of black bear hunting.

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

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HB02-1221

YES	21	NO	11	EXCUSED	3	ABSENT	0
Anderson	Y	Fitz-Gerald	N	May	Y	Takis	N
Andrews	Y	Gordon	E	McElhany	N	Tate	N
Arnold	Y	Hagedorn	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hanna	N	Nichol	N	Teck	Y
Chlouber	Y	Hernandez	Y	Owen	Y	Thiebaut	E
Dyer	Y	Hillman	Y	Pascoe	Y	Tupa	N
Entz	Y	Isgar	Y	Perlmutter	Y	Windels	N
Epps	Y	Lamborn	Y	Phillips	N	Mr. President	Y
Evans	Y	Linkhart	N	Reeves	N		

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

HB02-1135

by Representative(s) Williams T., Cloer, Coleman, Daniel, Decker, Garcia, Hodge, Kester, King, Larson, Ragsdale, Snook, Spence, Spradley, Tochtrop; also Senator(s) Windels, Anderson, Entz, Hanna, May--Concerning the Colorado compensation insurance authority.

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

YES	28	NO	4	EXCUSED	3	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	E	McElhany	N	Tate	Y
Arnold	Y	Hagedorn	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hanna	Y	Nichol	Y	Teck	Y
Chlouber	N	Hernandez	Y	Owen	N	Thiebaut	E
Dyer	Y	Hillman	N	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: Nichol.

HB02-1163

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

Laid over until Tuesday, April 2, retaining its place on the calendar.

On motion of Senator Phillips, 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, **SJR02-021**.

CONSIDERATION OF RESOLUTIONS

SJR02-021

by Senator(s) Hernandez; also Representative(s) Mace--Concerning recognition of Cesar Chavez Day.

Senate in Recess--Senate Reconvened.

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Anderson	Y	Fitz-Gerald	Y	May	Y	Takis	Y
Andrews	Y	Gordon	E	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	Y	Phillips	Y	Mr. President	Y
Evans	Y	Linkhart	Y	Reeves	Y		

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

COMMITTEE OF REFERENCE REPORTS

Government, Veterans and Military Relations and Transportation

After consideration on the merits, the committee recommends that HB02-1210 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

MESSAGE FROM THE HOUSE

March 27, 2002

Mr. President:

The House has voted not to concur in the Senate amendments to HB02-1250 and requests that a conference committee be appointed. The Speaker has appointed Representatives Dean, chairman, Stengel, and Madden as House conferees on the First Conference Committee on HB02-1250. The bill is transmitted herewith.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR02-022

by Senator(s) Takis, Phillips, Chlouber, Andrews, Dyer, Entz, Epps, Fitz-Gerald, Hagedorn, Hanna, Hillman, Matsunaka, Musgrave, Nichol, Pascoe, Perlmutter, Tupa, Windels; also Representative(s) Tochtrop, Borodkin, Coleman, Groff, Grossman, Hodge, Johnson, Marshall, Plant, Romanoff, Saliman, Sanchez, Stafford, Tapia, Vigil-- Concerning the designation of April 24 as "Colorado Day of Remembrance of the Armenian Genocide" in commemoration of the Armenian Genocide from 1915 to 1923 and honoring Armenian Americans.

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

MESSAGE FROM THE GOVERNOR

March 27, 2002

To the Honorable Senate Sixty-third General Assembly Second Regular Session Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following acts:

S.B. 02-007 – Concerning County Commissioner Redistricting.

Approved March 27, 2002 at 2:51 p.m.

S.B. 02-106 – Concerning Conformance Of Public Employee Retirement Plans With The Federal Internal Revenue Code.

Approved March 27, 2002 at 2:52 p.m.

Sincerely,

(Signed) Bill Owens Governor

Rec'd: 03/27/02 K. Goldman, Secretary

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SENATE SERVICES REPORT

Senate
Services

Correctly printed: SR02-009; SJR-020.

Correctly reengrossed: SB02-073, 101, 185.

Correctly revised: HB02-1135, 1163, 1218, 1221, 1269, 1287.

Correctly rerevised: HB02-1051, 1099, 1146, 1164, 1191, 1215, 1224, 1225, 1331, 1334.

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 Monday, April 1, was laid over until Tuesday, April 2, retaining its place on the calendar.

Consideration of Resolutions: **SR02-009, HJR02-1035.**

On motion of Senator Phillips, the Senate adjourned until 9:00 a.m., Tuesday, April 2, 2002.

Approved:

Stan Matsunaka
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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