

SENATE JOURNAL
Sixty-third General Assembly
STATE OF COLORADO
Third Extraordinary Session

Second Legislative Day

Tuesday, July 9, 2002

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

Roll Call Present--Total, 30.
Absent/Excused--Cairns, Perlmutter, Tate, Thiebaut, Tupa--Total, 5.
Present later--Cairns, Perlmutter, Tate, Thiebaut, Tupa.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Phillips, reading of the Journal of Monday, July 8 was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, and Finance After consideration on the merits, the committee recommends that **SB02S-007** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 21, strike "SHALL" and substitute "MAY".

INTRODUCTION OF BILLS--FIRST READING

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

SB02S-010 by Senator(s) Fitz-Gerald; --Concerning job security for Colorado employees who enlist through the national interagency fire center to assist in fighting wildland fires in times of extreme need.
Business, Labor, and Finance

SB02S-011 by Senator(s) Linkhart; --Concerning prohibitions on the sale of fireworks, and, in connection therewith, authorizing a county, city and county, or fire protection district to prohibit the sale of permissible fireworks within its jurisdiction.
Judiciary

SENATE SERVICES REPORT

Senate Services Correctly printed: SB02S-001, 002, 003, 004, 005, 006, 007, 008, 009; SJM02S-001; SM02S-001.

Correctly revised: HJR02S-1001.

MESSAGE FROM THE HOUSE

July 9, 2002

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB02S-1001, amended as printed in House Journal, July 8, page 10.
HB02S-1004, amended as printed in House Journal, July 8, page 10.
HB02S-1002, amended as printed in House Journal, July 8, page 21.
HB02S-1013, amended as printed in House Journal, July 8, pages 21-22.
HB02S-1005, amended as printed in House Journal, July 8, pages 22-23.
HB02S-1006, amended as printed in House Journal, July 8, pages 37-38.

MESSAGE FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB02S-1001, 1004, 1002, 1013, 1005, and 1006.

INTRODUCTION OF BILLS--FIRST READING

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

- SB02S-012** by Senator(s) Gordon; --Concerning increased penalties for expelling burning materials from a motor vehicle.
Judiciary
- SB02S-013** by Senator(s) Fitz-Gerald, Tupa; also Representative(s) Tapia--Concerning a requirement that Colorado state individual income tax return forms contain a line whereby an individual taxpayer may make a voluntary contribution to the fire mitigation fund.
Business, Labor, and Finance
Appropriations
- HB02S-1005** by Representative(s) Hefley; also Senator(s) Gordon--Concerning determination of the death penalty by a jury.
Judiciary

INTRODUCTION OF RESOLUTIONS

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

- SR02S-001** by Senator(s) Musgrave, May, Lamborn, Chlouber and Hillman--Concerning honoring the drafters of the Pledge of Allegiance.
Judiciary

INTRODUCTION OF BILLS--FIRST READING

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

- HB02S-1001** by Representative(s) Rippy; also Senator(s) Taylor--Concerning recommendations of the water availability task force relating to measures to address drought conditions.
Agriculture and Natural Resources
- HB02S-1002** by Representative(s) Kester, Mace; also Senator(s) Hernandez--Concerning the crime of intentionally setting a wildfire, and making an appropriation in connection therewith.
Judiciary
- HB02S-1004** by Representative(s) Johnson; also Senator(s) Isgar--Concerning a limitation on the uses to which the Colorado water conservation construction fund may be put.
Public Policy and Planning
- HB02S-1005** by Representative(s) Hefley; also Senator(s) Gordon--Concerning determination of the death penalty by a jury.
Judiciary
- HB02S-1006** by Representative(s) Alexander; also Senator(s) Anderson--Concerning wildfires, and, in connection therewith, increasing the penalties for starting fires, and providing local authorities with the power to control and limit fires, and making an appropriation in connection therewith.
Judiciary
- HB02S-1013** by Representative(s) Spradley, Paschall; also Senator(s) Lamborn--Concerning a refund of state sales and use tax paid in connection with the reconstruction of improvements destroyed by wildfire.
Business, Labor, and Finance

Senate in Recess--Senate Reconvened

COMMITTEE OF REFERENCE REPORTS

Business,
Labor, and
Finance

After consideration on the merits, the committee recommends that **SB02S-009** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 15, strike "wildfires." and substitute "wildfires and drought.";

line 20, strike "02S-___," and substitute "02S-009,";

line 22, strike "THREE MILLION";

line 23, strike "FIVE HUNDRED THOUSAND" and substitute "ONE MILLION FOUR HUNDRED FIFTY-FOUR THOUSAND TWO HUNDRED SIXTY".

Page 3, line 4, strike "three";

strike line 5 and substitute the following:

"one million four hundred fifty-four thousand two hundred sixty dollars (\$1,454,260), and such sum, or so";

line 8, strike "wildfires." and substitute "wildfires and drought.".

Business,
Labor, and
Finance

After consideration on the merits, the committee recommends that **SB02S-010** be referred favorably to the Committee of the Whole.

INTRODUCTION OF BILLS--FIRST READING

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

SB02S-014

by Senator(s) Dyer--Concerning the financing of water infrastructure projects by the state, and, in connection therewith, authorizing the issuance of voter-approved revenue bonds for the purpose of financing such projects and excluding revenues derived from bond proceeds and projects financed by bonds from state fiscal year spending.

Public Policy and Planning
Appropriations

SB02S-015

by Senator(s) Thiebaut--Concerning the inclusion of employees of specified employers who may have been adversely impacted by a natural disaster in certain aspects of state group benefit plans in order to assist those employers in providing affordable health insurance options to their employees, and, in connection therewith, providing relief to small businesses, family agricultural operations, and local governments that have been negatively affected by the drought or wildfires by allowing such entities to access more affordable health insurance for their employees.

Agriculture and Natural Resources

SB02S-016

by Senator(s) Matsunaka--Concerning the creation of the farmers and ranchers emergency natural disaster assistance fund, and making an appropriation therefor.

Agriculture and Natural Resources

Senate in Recess--Senate Reconvened

COMMITTEE OF REFERENCE REPORTS

Agriculture
and Natural
Resources

After consideration on the merits, the committee recommends that **SB02S-001** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

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

"**SECTION 1.** Article 60 of title 37, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

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SB02S-001

37-60-123.5. Agricultural emergency drought response.

(1) IF, PURSUANT TO FEDERAL OR STATE LAW, ANY PORTION OF COLORADO HAS RECEIVED EMERGENCY DROUGHT DESIGNATION OR A DISASTER EMERGENCY HAS BEEN PROCLAIMED DUE TO DROUGHT, NOTWITHSTANDING THE PROVISIONS OF SECTION 39-29-109 (1) (a), C.R.S., IN ADDITION TO ANY OTHER MONEYS APPROPRIATED FROM THE PERPETUAL BASE ACCOUNT OF THE SEVERANCE TAX TRUST FUND, CREATED BY SECTION 39-29-109, C.R.S., UP TO ONE MILLION DOLLARS IN THE PERPETUAL BASE ACCOUNT OF THE SEVERANCE TAX TRUST FUND ARE CONTINUOUSLY APPROPRIATED TO THE DIRECTOR OF THE COLORADO WATER CONSERVATION BOARD AND THE STATE ENGINEER PER SUCH DESIGNATION OR PROCLAMATION TO MAKE LOANS AND GRANTS TO AGRICULTURAL ORGANIZATIONS FOR EMERGENCY DROUGHT-RELATED WATER AUGMENTATION PURPOSES.

(2) THE DIRECTOR OF THE COLORADO WATER CONSERVATION BOARD AND THE STATE ENGINEER SHALL CONSULT WITH THE COMMISSIONER OF AGRICULTURE AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES BEFORE MAKING ANY LOANS OR GRANTS PURSUANT TO THIS SECTION.

SECTION 2. 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."

Page 1, line 102, strike "THE";

line 103, strike "FUND." and substitute "AUTHORITY IN THE STATE ENGINEER AND THE DIRECTOR OF THE COLORADO WATER CONSERVATION BOARD."

Agriculture and Natural Resources

After consideration on the merits, the committee recommends that **SJM02S-001** be referred favorably to the Senate for final action.

Judiciary

After consideration on the merits, the committee recommends that **HB02S-1002** be referred favorably to the Committee of the Whole.

Judiciary

After consideration on the merits, the committee recommends that **SB02S-012** be referred favorably to the Committee of the Whole.

Judiciary

After consideration on the merits, the committee recommends that **SB02S-011** be referred favorably to the Committee of the Whole.

Senate in Recess--Senate Reconvened

COMMITTEE OF REFERENCE REPORTS

Judiciary

After consideration on the merits, the committee recommends that **SB02S-006** be postponed indefinitely.

Judiciary

After consideration on the merits, the committee recommends that **SB02S-008** be postponed indefinitely.

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INTRODUCTION OF BILLS--FIRST READING

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

SB02S-017 by Senator(s) Perlmutter--Concerning land use regulation of areas with a recognized risk of wildfires.
Public Policy and Planning

Senate in Recess--Senate Reconvened

COMMITTEE OF REFERENCE REPORTS

Public Policy and Planning After consideration on the merits, the committee recommends that **HB02S-1004** be postponed indefinitely.

Business, Labor, and Finance After consideration on the merits, the committee recommends that **SB02S-013** be referred favorably to the Committee on Appropriations.

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB02S-1013** be postponed indefinitely.

INTRODUCTION OF BILLS--FIRST READING

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

SB02S-018 by Senator(s) Linkhart--Concerning creation of an urban water use efficiency task force.
Public Policy and Planning

COMMITTEE OF REFERENCE REPORTS

Public Policy and Planning After consideration on the merits, the committee recommends that **SB02S-017** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 5, strike "SUCH RISK," and substitute "WILDFIRE,".

Agriculture and Natural Resources After consideration on the merits, the committee recommends that **SB02S-016** be referred favorably to the Committee on Appropriations.

Agriculture and Natural Resources After consideration on the merits, the committee recommends that **HB02S-1001** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, line 21, strike "reckless and negligent".

Agriculture and Natural Resources After consideration on the merits, the committee recommends that **SB02S-015** be referred favorably to the Committee on Appropriations.

Senate in Recess--Senate Reconvened

COMMITTEE OF REFERENCE REPORTS

Public Policy and Planning After consideration on the merits, the committee recommends that SB02S-018 be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 8, after "FORCE", insert "BY SEPTEMBER 1, 2002,".

Appropriations After consideration on the merits, the committee recommends that SB02S-001 be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

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

"SECTION 1. Article 60 of title 37, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

37-60-123.5. Agricultural emergency drought response.

(1) IF, PURSUANT TO FEDERAL OR STATE LAW, ANY PORTION OF COLORADO HAS RECEIVED EMERGENCY DROUGHT DESIGNATION OR A DISASTER EMERGENCY HAS BEEN PROCLAIMED DUE TO DROUGHT, NOTWITHSTANDING THE PROVISIONS OF SECTION 39-29-109 (1) (a), C.R.S., IN ADDITION TO ANY OTHER MONEYS APPROPRIATED FROM THE PERPETUAL BASE ACCOUNT OF THE SEVERANCE TAX TRUST FUND, CREATED BY SECTION 39-29-109, C.R.S., UP TO ONE MILLION DOLLARS IN THE PERPETUAL BASE ACCOUNT OF THE SEVERANCE TAX TRUST FUND ARE CONTINUOUSLY APPROPRIATED TO THE DIRECTOR OF THE COLORADO WATER CONSERVATION BOARD AND THE STATE ENGINEER PER SUCH DESIGNATION OR PROCLAMATION TO MAKE LOANS AND GRANTS TO AGRICULTURAL ORGANIZATIONS FOR EMERGENCY DROUGHT-RELATED WATER AUGMENTATION PURPOSES.

(2) THE DIRECTOR OF THE COLORADO WATER CONSERVATION BOARD AND THE STATE ENGINEER SHALL CONSULT WITH THE COMMISSIONER OF AGRICULTURE AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES BEFORE MAKING ANY LOANS OR MATCHING GRANTS PURSUANT TO THIS SECTION.

SECTION 2. 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."

Page 1, line 102, strike "THE";

line 103, strike "FUND." and substitute "AUTHORITY IN THE STATE ENGINEER AND THE DIRECTOR OF THE COLORADO WATER CONSERVATION BOARD."

Appropriations After consideration on the merits, the committee recommends that SB02S-013 be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, after line 16, insert the following:

"SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the fire mitigation fund created in section 39-22-2503 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, cash and document processing division, for data entry costs, for the fiscal year beginning July 1, 2002, the sum of eight hundred twelve dollars (\$812), or so much thereof as may be necessary, for the implementation of this act."

Re-number succeeding section accordingly.

Page 1, line 104, strike "FUND." and substitute "FUND, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

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Appropriations After consideration on the merits, the committee recommends that **SB02S-015** be referred favorably to the Committee of the Whole.

Appropriations After consideration on the merits, the committee recommends that **SB02S-016** be referred favorably to the Committee of the Whole.

On motion of Senator Thiebaut, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **SB02S-007**, **SB02S-010**, **SB02S-012**, **SB02S-017**, **SB02S-018** were made Special Orders at 8:15 p.m.

Committee of the Whole The hour of 8:15 p.m. having arrived, Senator Tupa moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Tupa 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:

SB02S-007 by Senator(s) Isgar, Entz, Fitz-Gerald; also Representative(s) Larson--Concerning the availability of insurance for properties that are within federally designated disaster areas.

Amendment No. 1, Business, Labor, and Finance Committee Amendment.
(Printed in Senate Journal, July 9, page 5 and placed in members' bill file.)

Amendment No. 2(L.006), by Senator Isgar.

Strike the Business, Labor, and Finance Committee Report, dated July 8, 2002, and substitute the following:

"Amend printed bill, page 2, strike lines 7 through 17 and substitute the following:

"REFUSE TO ISSUE A FIRE INSURANCE POLICY FOR ANY PROPERTY LOCATED WITHIN A FEDERALLY DESIGNATED DISASTER AREA, SO DESIGNATED BECAUSE OF WILDFIRE, WHERE SUCH REFUSAL IS BASED ON SUCH PROPERTY'S ZIP CODE, COUNTY LOCATION, OR DISTANCE FROM ANY WILDFIRE. THIS SECTION SHALL NOT APPLY TO PROPERTY THAT IS LOCATED WITHIN AN IMMEDIATELY THREATENED AREA AS DESIGNATED BY THE UNITED STATES FOREST SERVICE.";

line 19, after "WITHIN", insert "AN AREA THAT HAS BEEN DECLARED";

line 20, strike "FIRE." and substitute "WILDFIRE.";

strike lines 21 and 22 and substitute the following:

"AS A CONDITION OF SUCH RENEWAL, AN INSURER MAY REQUIRE A PROPERTY OWNER TO TAKE REASONABLE ACTIONS TO REDUCE THE RISK OF FIRE TO SUCH PROPERTY.".

Page 3, line 1, after "WITHIN", insert "AN AREA THAT HAS BEEN DECLARED";

line 2, strike "AREA," and substitute "AREA BECAUSE OF WILDFIRE," , and strike "ANY";

strike lines 3 through 5 and substitute the following:

"TO PROVIDE COVERAGE FOR THE REMAINING TERM OF THE EXISTING FIRE INSURANCE POLICY, ADJUSTED AS REQUIRED BY THE MORTGAGE LENDER FOR ANY INCREASE OR DECREASE IN THE VALUE OF SUCH PROPERTY. SUCH REQUIRED ADJUSTMENT SHALL NOT CONFLICT WITH THE REQUIREMENTS OF SECTION 10-4-114.".

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

SB02S-010 by Senator(s) Fitz-Gerald--Concerning job security for Colorado employees who enlist through the national interagency fire center to assist in fighting wildland fires in times of extreme need.

Amendment No. 1(L.001), by Senator McElhany.

Amend printed bill, page 4, line 14, strike "8-3.5-110," and substitute "8-3.5-109,";

line 19, strike "LOSS OF PAY," and substitute "PAY BUT WITHOUT LOSS OF".

Page 5, strike lines 11 through 18.

Renumber succeeding C.R.S. sections accordingly.

Page 6, line 1, strike "8-3.5-107." and substitute "8-3.5-106.";

line 3, strike "8-3.5-110," and substitute "8-3.5-109,".

Page 7, line 13, strike "8-3.5-107." and substitute "8-3.5-106.";

line 17, strike "8-3.5-107." and substitute "8-3.5-106.".

Page 8, line 22, strike "8-3.5-110" and substitute "8-3.5-109".

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

SB02S-012 by Senator(s) Gordon--Concerning increased penalties for expelling burning materials from a motor vehicle.

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

SB02S-017 by Senator(s) Perlmutter--Concerning land use regulation of areas with a recognized risk of wildfires.

Amendment No. 1, Public Policy and Planning Committee Amendment.
(Printed in Senate Journal, July 9, page 9 and placed in members' bill file.)

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

SB02S-018 by Senator(s) Linkhart--Concerning creation of an urban water use efficiency task force.

Amendment No. 1, Public Policy and Planning Committee Amendment.
(Printed in Senate Journal, July 9, page 10 and placed in members' bill file.)

As amended, 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 Tupa, 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: **SB02S-007** as amended, **SB02S-010** as amended, **SB02S-012**, **SB02S-017** as amended, **SB02S-018** as amended.

On motion of Senator Thiebaut, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **SB02S-001**, **SB02S-013**, **SB02S-015**, **SB02S-016** were made Special Orders at 8:50 p.m.

Committee of the Whole The hour of 8:50 p.m. having arrived, Senator Tupa moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Tupa was called to the Chair to act as Chairman.

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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:

SB02S-001 by Senator(s) Owen; also Representative(s) Hoppe--Concerning drought response, and, in connection therewith, creating agricultural emergency drought response authority in the state engineer and the director of the Colorado water conservation board.

Amendment No. 1, Agriculture and Natural Resources Committee Amendment.
(Printed in Senate Journal, July 9, pages 7-8 and placed in members' bill file.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, July 9, page 10 and placed in members' bill file.)

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

SB02S-013 by Senator(s) Fitz-Gerald, Tupa; also Representative(s) Tapia--Concerning a requirement that Colorado state individual income tax return forms contain a line whereby an individual taxpayer may make a voluntary contribution to the fire mitigation fund.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, July 9, page 10 and placed in members' bill file.)

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

SB02S-015 by Senator(s) Thiebaut; --Concerning the inclusion of employees of specified employers who may have been adversely impacted by a natural disaster in certain aspects of state group benefit plans in order to assist those employers in providing affordable health insurance options to their employees, and, in connection therewith, providing relief to small businesses, family agricultural operations, and local governments that have been negatively affected by the drought or wildfires by allowing such entities to access more affordable health insurance for their employees.

Amendment No. 1(L.001), by Senator Thiebaut.

Amend printed bill, page 5, line 24, after "COLORADO. ", add ""FAMILY AGRICULTURAL OPERATION" INCLUDES, BUT IS NOT LIMITED TO, AN AGRICULTURAL OPERATION THAT IS STRUCTURED AS A SOLE PROPRIETORSHIP, PARTNERSHIP, CORPORATION, OR OTHER ENTITY.".

Amendment No. 2(L.002), by Senator Entz.

Amend printed bill, page 5, line 23, strike "AND" and substitute "OR";
line 27, strike "AND" and substitute "OR".

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

SB02S-016 by Senator(s) Matsunaka--Concerning the creation of the farmers and ranchers emergency natural disaster assistance fund, and making an appropriation therefor.

Amendment No. 1(L.001), by Senator Matsunaka.

Amend printed bill, page 2, line 13, after "STATE", insert "OR FEDERAL".

Page 4, line 21, strike "NEED," and substitute "NEED AFTER CONSIDERATION OF ANY OTHER FEDERAL OR STATE RELIEF,".

Page 5, strike line 1 and substitute the following:

"COMMENCING JULY 1, 2002, THE COMMISSIONER OF AGRICULTURE, IN HIS OR HER SOLE DISCRETION, MAY DIRECT THE STATE TREASURER TO TRANSFER AMOUNTS OF MONEY FROM TIME TO TIME DURING SAID STATE FISCAL YEAR";

line 2, strike "TRANSFERRED";

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SB02S-016

line 6, strike "DROUGHT." and substitute "DROUGHT; HOWEVER, IN NO EVENT SHALL THE AGGREGATE AMOUNT OF MONEY TRANSFERRED IN ACCORDANCE WITH THIS PARAGRAPH (g) EXCEED ONE MILLION DOLLARS.";

strike line 10 and substitute the following:

"shall deduct such amounts from the perpetual base";

line 12, after "Statutes," insert "as directed by the commissioner of agriculture in accordance with section 39-29-109 (1) (g), Colorado Revised Statutes,";

line 19, strike "one";

line 20, strike "million dollars (\$1,000,000)" and substitute "the amounts transferred by the state treasurer in accordance with section 39-29-109 (1) (g), Colorado Revised Statutes,".

As amended, 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 Tupa, 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: **SB02S-001** as amended, **SB02S-013** as amended, **SB02S-015** as amended, **SB02S2-016** as amended.

COMMITTEE OF REFERENCE REPORTS

Agriculture
and Natural
Resources

After consideration on the merits, the committee recommends that **SB02S-004** be postponed indefinitely.

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 Tuesday, July 9, was laid over until Wednesday, July 10, retaining its place on the calendar.

Consideration of Memorials: **SM02S-001**.

On motion of Senator Thiebaut, the Senate adjourned until 9:30 a.m., Wednesday, July 10, 2002.

Approved:

Stan Matsunaka
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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