

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

69th Legislative Day Monday, March 13, 2000

Call to Order By the President at 10:00 a.m.

Prayer By the chaplain, Dr. Gilbert Caldwell, Park Hill Methodist Church.

Roll Call Present--Total, 30.
Absent/Excused--Lacy, Linkhart, Tebedo, Thiebaut, Weddig--Total, 5.
Present later--Lacy, Linkhart, Tebedo, Weddig.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Teck, reading of the Journal of March 10th was dispensed with and the Journal stands approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Services To the governor for signature on Friday, March 10, 2000, at 2:00 p.m:
SB 00-017, 033, 127, 130.

Senate Services Correctly enrolled: SJR 00-007.

INTRODUCTION OF RESOLUTION

The following resolution was read by title:

SJR 00-008 by Senator Blickensderfer; also Representative Stengel--Concerning the recognition of liberty day and liberty month in the state of Colorado.

Laid over one day under Senate Rule 30(b), and placed on the calendar of Tuesday, March 14th.

MESSAGE FROM THE GOVERNOR

March 10, 2000

To the Honorable Senate
Sixty-second 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:

SB 00 – 053 - Concerning Regulation Of School Buses

Approved March 9, 2000 at 2:12 p.m.

SB 00 – 064 – Concerning The Extension Of The Designation Of The Student Loan Division As An Enterprise.

Approved March 10, 2000 at 11:42 a.m.

SB 00 – 073 – Concerning The Repeal Of The “Federal Mandates Act”.

Approved March 9, 2000 at 2:14 p.m.

Sincerely,
(Signed)
Bill Owens
Governor
Rec'd 3/10/00
P. Dicks, Secretary

SIGNING OF BILLS

The President has signed: SJR 00-007.

APPOINTMENTS TO CONFERENCE COMMITTEE

HB 00-1286 by Rep. Webster; Senator Chlouber--Protection Of Livestock

The President appointed Senators Chlouber, Chairman, Wattenberg and Dyer as Senate Conferees on the First Conference Committee on HB00-1286.

THIRD READING OF BILLS--FINAL PASSAGE

On Third Reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB 00-1267 by Rep. Johnson; Senator Hillman--Extends Pet Animal Care & Facilities Act

The question being "Shall the bill pass?" the roll was called with the following result:

YES	31	NO	0	EXCUSED	4	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	E
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	E
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	E	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivant	Y		

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

Co-sponsor added: Wattenberg

HB 00-1139 by Rep. Mace; Sen. Feeley--Appointment Of Guardians

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

Third Reading Amendment No. 1, by Senator Feeley

Amend revised bill, page 6, line 14, strike "OR LEGAL CUSTODY".

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

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	E
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	E
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivant	Y		

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

HB 00-1268 by Rep. McKay; Senator Teck--Property Tax Assessment

The question being "Shall the bill pass?" the roll was called with the following result:

YES	31	NO	1	EXCUSED	3	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	E
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	E
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	N
Epps	Y	Matsunaka	Y	Sullivant	Y		

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

Co-sponsors added: Hernandez, Pascoe, Sullivant

HB 00-1315 by Rep. Allen; Sen. Hillman--Standards For Recycled Wastewater

The question being "Shall the bill pass?" the roll was called with the following result:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	E
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	E
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivant	Y		

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

Co-sponsors added: Hernandez, Sullivant, Wattenberg

SB 00-021 by Sen. Dennis; Rep. McPherson--Fugitive Location And Apprehension

The question being "Shall the bill pass?" the roll was called with the following result:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	E
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	E
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivant	Y		

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

Co-sponsors added: Hernandez, Lamborn, Owen, Powers, Weddig

SB 00-135 by Sen. Arnold; Rep. Larson--State Communications Systems

The question being "Shall the bill pass?" the roll was called with the following result:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	E
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	E
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivan	Y		

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

HB 00-1297 by Rep. Morrison; Sen. Epps--Elimination Of Certain Agency Reports

The question being "Shall the bill pass?" the roll was called with the following result:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	E
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	E
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivan	Y		

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

HB 00-1164 by Rep. Berry; Senator Tanner--Transportation Safety Program Funding

Laid over until Tuesday, March 14th, retaining its place on the calendar.

On motion of Senator Blickensderfer, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 15(c) was suspended for Consideration of Special Orders.

On motion of Senator Blickensderfer, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SCR00-002, SB00-119, SB00-188, SB00-124 were made Special Orders at 10:15 a.m..

Committee of the Whole The hour of 10:15 a.m. having arrived, Senator Hillman moved that the Senate resolve itself into Committee of the Whole for consideration of Special Orders and Senator Hillman was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS--10:15 A.M.

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:

SCR 00-002 by Sen. Blickensderfer; Rep. Dean--Timetable Redistricting General Assembly

Amendment No. 1, by Senator Perlmutter

Amend printed concurrent resolution, page 4, line 17, strike "REAPPORTIONMENT" and substitute "REDRAWING OF THE DISTRICTS".

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

SB	00-119	by Sen. Blickensderfer; Rep. Dean--Redistricting	1
		<u>Amendment No. 1, State, Veterans, and Military Affairs Committee Amendment</u>	2
		(Printed in Senate Journal, February 4, page 219.)	3
		<u>Amendment No. 2, Appropriations Committee Amendment</u>	4
		(Printed in Senate Journal, March 10, page 587.)	5
		As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	6
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SB	00-124	by Sen. Andrews; Rep. Tapia--Read-To-Achieve Program	15
		<u>Amendment No. 1, Education Committee Amendment</u>	16
		(Printed in Senate Journal, February 14, pages 308-310.)	17
		<u>Amendment No. 2, Appropriations Committee Amendment</u>	18
		(Printed in Senate Journal, March 10, page 587.)	19
		As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	20
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SB	00-188	by Sen. Blickensderfer--Fees For & Access To Patient Records	29
		<u>Amendment No. 1, Business Affairs and Labor Committee Amendment</u>	30
		(Printed in Senate Journal, February 8, pages 243-247.)	31
		<u>Amendment No. 2, Appropriations Committee Amendment</u>	32
		(Printed in Senate Journal, March 10, pages 585-586.)	33
		As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	34
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		ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE	42
		On motion of Senator Hillman, 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:	43
		SCR00-002 as amended; SB00-119 as amended, SB00-124 as amended, SB00-188 as amended, declared passed on Second Reading.	44
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Committee of the Whole		On motion of Senator Hillman, the Senate resolved itself into Committee of the Whole for consideration of General Orders and Senator Hillman was called to the Chair to act as Chairman.	52
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		GENERAL ORDERS--SECOND READING OF BILLS	57
		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:	58
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HB	00-1108	by Rep. Ragsdale; Sen. Evans--Foster Care & Adoption Of Siblings	64
		Laid over until Tuesday, March 14 th , retaining its place on the calendar.	65
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HB	00-1277	by Rep. Dean; Sen. Sullivant--Condemnation By Park & Rec District	69
		Laid over until Tuesday, March 14 th , retaining its place on the calendar.	70
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HB	00-1216	by Rep. Lawrence; Senator Arnold--Criminal Procedural Laws	1
		Laid over until Tuesday, March 14 th , retaining its place on the calendar.	2
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HB	00-1055	by Rep. Lawrence; Senator Arnold--Capital Construction Fund Transfer	6
		Ordered revised and placed on the calendar for Third Reading and Final Passage.	7
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HB	00-1105	by Rep. Kester; Senator Arnold--Temporary License Plate Visibility	11
		<u>Amendment No. 1, Transportation Committee Amendment</u>	12
		(Printed in Senate Journal, March 6, page 491.)	13
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		As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.	16
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HB	00-1040	by Rep. Spence; Senator Hillman--Waivers Of State Education Requirements	21
		<u>Amendment No. 1, Education Committee Amendment</u>	22
		(Printed in Senate Journal, March 6, page 492.)	23
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		<u>Amendment No. 2, by Senator Hillman</u>	26
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		Amend the committee amendment, as printed in Senate Journal, March 6, page 492, strike lines 24 through 26 and substitute the following:	28
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		"(d) IN ADDITION TO ANY REQUIREMENTS FOR A WAIVER	31
		APPLICATION THAT ARE SPECIFIED IN THIS SUBSECTION (1), ANY	32
		APPLICATION SUBMITTED BY A SCHOOL DISTRICT THAT HAS A FUNDED	33
		PUPIL COUNT, AS DEFINED IN SECTION 22-54-103 (7), OF THREE THOUSAND	34
		OR MORE PUPILS SHALL DEMONSTRATE THAT SUCH APPLICATION HAS THE	35
		CONSENT OF A MAJORITY OF THE APPROPRIATE ACCOUNTABILITY	36
		COMMITTEE, A MAJORITY OF THE AFFECTED LICENSED ADMINISTRATORS,	37
		AND A MAJORITY OF THE TEACHERS OF THE AFFECTED SCHOOL OR	38
		DISTRICT."."	39
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		As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.	42
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SB	00-164	by Sen. Lamborn; Rep. McElhany--CSOBA	46
		Laid over until Tuesday, March 14 th , retaining its place on the calendar.	47
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HB	00-1095	by Rep. Berry; Senator Blickensderfer--Municipal Elections Revisions	51
		Laid over until Tuesday, March 14 th , retaining its place on the calendar.	52
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HB	00-1293	by Rep. Dean; Sen. Perlmutter--Workers Comp Power Of Attorney	56
		Ordered revised and placed on the calendar for Third Reading and Final Passage.	57
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HB	00-1180	by Rep. Veiga; Senator Owen--Written Workers' Comp Findings	61
		<u>Amendment No. 1, by Senator Owen</u>	62
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		Amend reengrossed bill, page 1, line 4, strike " Orders. " and substitute	64
		" Orders - repeal. (1)".	65
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		Page 2, strike line 13, and substitute the following:	67
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		"such WRITTEN order shall be mailed, BY REGULAR OR ELECTRONIC MAIL,	69
		to each of the parties in interest,";	70
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line 14, strike "THEIR ATTORNEYS OF RECORD,";

after line 26, insert the following:

"(2) (a) BY JULY 1, 2003, THE DIVISION OF ADMINISTRATIVE HEARINGS IN THE DEPARTMENT OF PERSONNEL SHALL REPORT IN WRITING TO THE BUSINESS AFFAIRS AND LABOR COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES ON THE EFFECT OF ELIMINATING THE ISSUANCE OF SUMMARY ORDERS THAT DO NOT CONTAIN SPECIFIC FINDINGS OF FACT OR CONCLUSIONS OF LAW FROM THE PROCESS OF ADJUDICATING WORKERS' COMPENSATION CLAIMS.

(b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 1, 2004."

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

HB 00-1258 by Rep. Tate; Senator Phillips--Sunset Review Of Accountants

Laid over until Tuesday, March 14th, retaining its place on the calendar.

HB 00-1185 by Rep. Berry; Sen. Matsunaka--Uniform Consumer Credit Code

Laid over until Tuesday, March 14th, retaining its place on the calendar.

HB 00-1240 by Rep. Chavez; Sen. Perlmutter--Inspection Of Juv Delinquency Records

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

HB 00-1112 by Rep. Grossman; Sen. Perlmutter--Reg Analysis Of Rules Impacting Sm Biz

Amendment No. 1, Business Affairs and Labor Committee Amendment
(Printed in Senate Journal, March 2, page 468.)

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

HB 00-1239 by Rep. Pfiffner; Sen. Arnold--Habitual Sex Offenders Against Children

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

HB 00-1326 by Rep. Scott; Sen. Lamborn--Uniform Principal And Income Act

Laid over until Tuesday, March 14th, retaining its place on the calendar.

HB 00-1421 by Rep. Spradley; Senator Dennis--Duties Of Comm Corr Program Agents

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

HB 00-1254 by Rep. Gotlieb; Senator Wham--Criminal Offender Treatment Programs

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

HB 00-1377 by Rep. Veiga; Sen. Dennis--Victims Of Crime

Ordered revised 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 Hillman, 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:

HB00-1055, HB00-1293, HB00-1240, HB00-1239, HB00-1421, HB00-1254, HB00-1377, declared passed on Second Reading.
HB00-1105 as amended, HB00-1040 as amended, HB00-1180 as amended, HB00-1112 as amended, declared passed on Second Reading.
SB00-164; HB00-1108, HB00-1277, HB00-1216, HB00-1095, HB00-1258, HB00-1185, HB00-1326, laid over until Tuesday, March 14th, retaining their place on the calendar.

Senate in recess.

Senate reconvened.

SENATE SERVICES REPORT

Senate Services

Correctly printed: SJR 00-008.

Senate Services

Correctly engrossed: SCR 00-002; SB 00-119, 124, 188.

Correctly revised: HB 00-1040, 1055, 1105, 1112, 1180, 1239, 1240, 1254, 1293, 1377, 1421.

COMMITTEE OF REFERENCE REPORTS

Education

After consideration on the merits, the committee recommends that HB00-1202 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 15, strike "SCHOOL DISTRICT OR ANY OTHER PARTY WHO GIVES" and substitute "SCHOOL OR SCHOOL DISTRICT EMPLOYEE WHO REQUIRES PARTICIPATION IN";

line 16, after "OTHER" insert "OFFICIAL".

Page 4, line 7, after semicolon insert "OR";

line 8, strike "LAW; OR" and substitute "LAW.";

strike line 9.

Page 5, after line 7, insert the following:

"(e) NOTHING IN THIS SUBSECTION (5) SHALL BE CONSTRUED TO PREVENT A STUDENT WHO IS WORKING UNDER THE SUPERVISION OF A JOURNALISM TEACHER OR SPONSOR FROM PREPARING OR PARTICIPATING IN A SURVEY, ANALYSIS, OR EVALUATION WITHOUT OBTAINING THE WRITTEN CONSENT OF SUCH STUDENT'S PARENT OR LEGAL GUARDIAN AS LONG AS SUCH PARTICIPATION WITHOUT PARENTAL CONSENT IS NOT OTHERWISE PROHIBITED BY FEDERAL LAW.

(f) NOTHING IN THIS SUBSECTION (5) SHALL BE CONSTRUED TO LIMIT THE ABILITY OF A HEALTH PROFESSIONAL WHO IS ACTING AS AN AGENT OF THE SCHOOL DISTRICT FROM EVALUATING AN INDIVIDUAL CHILD."

Page 6, line 18, strike "SECTION AND MAY WITHHOLD" and substitute "SECTION.";

strike lines 19 and 20;

line 23, after "HAVE" insert "KNOWINGLY AND INTENTIONALLY";

after line 26, insert the following:

"(13) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PREVENT

A SCHOOL OR A SCHOOL DISTRICT FROM RELEASING EDUCATION RECORDS TO THE EXTENT AUTHORIZED BY 20 U.S.C. SEC. 1232g (b) AND ANY OTHER APPLICABLE FEDERAL LAW.".

Page 7, strike lines 1 through 7.

Renumber succeeding sections accordingly.

Page 7, strike lines 16 through 26.

Page 8, strike lines 1 through 21.

Renumber succeeding section accordingly.

Health, After consideration on the merits, the committee recommends that HB00-1025 be
Environment, amended as follows and, as so amended, be referred to the Committee on Appropriations
Welfare and with favorable recommendation:
Institutions

Amend reengrossed bill, page 1, after line 1, insert the following:

"**SECTION 1.** 24-1-119, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

24-1-119. Department of public health and environment - creation. (9) THE POWERS, DUTIES, AND FUNCTIONS OF THE COLORADO CHILDREN'S TRUST FUND BOARD, CREATED IN SECTION 19-3.5-104, C.R.S., ARE TRANSFERRED BY A **TYPE 2** TRANSFER TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

SECTION 2. 24-1-114 (4) (g), Colorado Revised Statutes, is repealed as follows:

24-1-114. Department of higher education - creation. (4) For the purposes of section 22 of article IV of the state constitution, the following are allocated to the department of higher education but shall otherwise continue to be administered as provided by law:

(g) ~~The Colorado children's trust fund board, created by article 3.5 of title 19, C.R.S.~~

SECTION 3. 19-3.5-104 (1), Colorado Revised Statutes, is amended to read:

19-3.5-104. Colorado children's trust fund board - creation - members. (1) There is hereby created, in the department of ~~higher education~~, PUBLIC HEALTH AND ENVIRONMENT, the Colorado children's trust fund board. The board shall exercise its powers and duties as if ~~the same were transferred by a type 2 transfer. The board may contract with the department of social work of Colorado state university for administrative and technical support for the board in carrying out its duties and functions."~~

Renumber succeeding sections accordingly.

Page 2, after line 5, insert the following:

"**SECTION 5.** 19-3.5-106 (1) (a), Colorado Revised Statutes, is amended to read:

19-3.5-106. Colorado children's trust fund - creation - source of funds. (1) There is hereby created in the state treasury the Colorado children's trust fund, which shall be administered by the board and which shall consist of:

(a) All moneys which shall be transferred thereto in accordance with section ~~14-2-106 (1) (a)~~, 14-10-120.7, C.R.S.; and".

Renumber succeeding sections accordingly.

Page 2, line 13, strike "14-2-106" and substitute "~~14-2-106~~";

line 14, strike "(1) (a)," and substitute "~~(1) (a)~~, 14-10-120.7,";

line 22, strike "14-2-106 (1) (a)," and substitute "~~14-2-106 (1) (a)~~, 14-10-120.7,".

Page 3, strike lines 7 through 14 and substitute the following:

"19-3.5-109. Report - repeal of article. (1) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL CONTRACT FOR AN INDEPENDENT EVALUATION OF THE TRUST FUND INCLUDING ADMINISTRATIVE COSTS OF OPERATING THE TRUST FUND AND THE COST-EFFECTIVENESS AND THE IMPACT OF THE GRANTS ON REDUCING AND PREVENTING CHILD ABUSE. A REPORT OF SUCH EVALUATION SHALL BE PROVIDED TO THE HOUSE AND SENATE HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES BY NOVEMBER 1, 2001.";

line 15, strike "2001" and substitute "2002";

strike lines 16 through 24 and substitute the following:

"SECTION 8. The introductory portion to 14-2-106 (1) (a) and 14-2-106 (1) (c), Colorado Revised Statutes, are amended to read:

14-2-106. License to marry. (1) (a) When a marriage application has been completed and signed by both parties to a prospective marriage and at least one party has appeared before the county clerk and recorder and has paid the marriage license fee of seven dollars, ~~plus an additional fee of ten dollars, except as provided in paragraph (c) of this subsection (1), such additional fee to be credited to the Colorado children's trust fund pursuant to section 19-3.5-106, C.R.S.,~~ and an additional amount established pursuant to section 25-2-121, C.R.S., such amount to be credited to the vital statistics records cash fund pursuant to section 25-2-121, C.R.S., the county clerk shall issue a license to marry and a marriage certificate form upon being furnished:

~~(c) The additional ten-dollar fee authorized in paragraph (a) of this subsection (1) to be credited to the Colorado children's trust fund shall not be assessed after the balance in such fund exceeds five million dollars.~~

SECTION 9. Article 10 of title 14, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

14-10-120.7. Petition for dissolution of marriage, legal separation, or declaration of legal invalidity of marriage - fee - assessment - Colorado children's trust fund. THERE SHALL BE ASSESSED AGAINST A NONINDIGENT PETITIONER A FEE OF TWELVE DOLLARS FOR EACH FILING OF A PETITION FOR DISSOLUTION OF MARRIAGE, LEGAL SEPARATION, OR DECLARATION OF LEGAL INVALIDITY OF MARRIAGE. ALL SUCH FEES COLLECTED 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.

SECTION 10. Transfer of appropriation. Any appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2000, to the department of higher education, Colorado commission on higher education, special purpose, Colorado children's trust fund, and any corresponding FTE, are hereby transferred to the department of public health and environment, for the implementation of this act.

SECTION 11. Effective date - applicability. This act shall take effect July 1, 2000, and shall apply to moneys deposited in the Colorado children's trust fund created in section 19-3.5-106, Colorado Revised Statutes, on or after said date.

SECTION 12. 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.";

strike lines 25 and 26.

Strike page 4.

Health, After consideration on the merits, the committee recommends that HB00-1207 be
Environment, amended as follows and, as so amended, be referred to the Committee of the Whole with
Welfare and favorable recommendation:
Institutions

Amend reengrossed bill, page 3, strike lines 1 through 3 and substitute the following:

"state - pilot project - repeal. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT A PILOT PROJECT FOR THE PURPOSES OF ALLOWING THE TRANSFER OF PATIENTS TO AN OUT-OF-STATE FACILITY AS ALLOWED IN SECTION 27-10-122(2). THE PILOT PROJECT SHALL ONLY BE IMPLEMENTED IN A RURAL AREA LOCATED IN THE SOUTHWEST CORNER OF THIS STATE; EXCEPT THAT IF THE EXECUTIVE DIRECTOR OR THE EXECUTIVE DIRECTOR'S DESIGNEE FINDS THAT THERE IS A DEMONSTRATED NEED IN ANOTHER AREA OR AREAS OF THE STATE, THE PILOT PROJECT MAY BE EXPANDED TO SERVE ANOTHER AREA OR AREAS OF THE STATE. IF THE PILOT PROJECT IS EXPANDED, THE DEPARTMENT SHALL REPORT SUCH NEED FOR EXPANSION TO THE HOUSE AND SENATE HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES. THE EXECUTIVE DIRECTOR OR THE EXECUTIVE DIRECTOR'S DESIGNEE IS AUTHORIZED TO APPROVE AND DESIGNATE A FACILITY IN A STATE THAT IS ADJOINING TO THE RURAL AREA PARTICIPATING IN THE PILOT PROJECT FOR THE PURPOSES OF A SEVENTY-TWO HOUR";

line 9, strike "AN";

line 10, strike "ADJOINING STATE" and substitute "THE STATE ADJOINING THE SITE OF THE PILOT PROJECT";

after line 25, insert the following:

"(2) THE DEPARTMENT OF HUMAN SERVICES SHALL CONDUCT A REVIEW OF THE PILOT PROGRAM AND A REPORT OF SUCH REVIEW SHALL BE PROVIDED TO THE HOUSE AND SENATE HEALTH, ENVIRONMENT, WELFARE AND INSTITUTIONS COMMITTEES BY NOVEMBER 1, 2000, AND BY NOVEMBER 1 OF EVERY OTHER YEAR THEREAFTER. THE REPORT SHALL INCLUDE THE FOLLOWING:

(a) WHETHER THERE IS A DEMONSTRATED NEED IN ANOTHER AREA OR AREAS OF THE STATE TO EXPAND THE PILOT PROJECT;

(b) THE NUMBER OF PATIENTS TRANSFERRED TO AN OUT-OF-STATE FACILITY;

(c) THE TOTAL NUMBER OF HOSPITAL DAYS BY SUCH PATIENTS;
AND

(d) THE COST-EFFECTIVENESS OF THE PILOT PROGRAM.

(3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2007."

Page 4, line 3, strike **"agreements."** and substitute **"agreements - repeal."**;

line 12, after "TREATMENT," insert "AND WHO RESIDES IN THE AREA COVERED BY THE PILOT PROJECT DESCRIBED IN SECTION 27-10-121.5,".

Page 6, line 5, strike "ADJOINING STATES" and substitute "A STATE ADJOINING THE SITE OF THE PILOT PROJECT DESCRIBED IN SECTION 27-10-121.5. SUCH RECIPROCAL AGREEMENTS SHALL GOVERN";

line 6, strike "FOR";

strike line 10 and substitute the following:

"27-10-121.5. SUCH RECIPROCAL AGREEMENTS MAY ALSO PERTAIN TO THE TRANSFER OF ANY RESIDENTS OF THE ADJOINING STATE";

line 16, strike "AN";
line 17, strike "ADJOINING STATE" and substitute "A STATE ADJOINING THE
SITE OF THE PILOT PROJECT";
line 23, strike the second "AN" and substitute "THE".
Page 7, after line 12, insert the following:
"(6) THIS SUBSECTION (6) AND SUBSECTIONS (2) THROUGH (5) OF
THIS SECTION ARE REPEALED, EFFECTIVE JULY 1, 2007.".

Health, After consideration on the merits, the committee recommends that HB00-1256 be
Environment, amended as follows and, as so amended, be referred to the Committee on Appropriations
Welfare and with favorable recommendation:
Institutions

Amend reengrossed bill, page 1, line 6, strike "2005" and substitute
"2003";
line 7, strike "2005" and substitute "2003".
Page 2, line 2, strike "2005", and substitute "2003";
line 3, strike "(r)";
line 4, strike "SUBPARAGRAPH" and substitute "PARAGRAPH";
strike line 8 and substitute:
"(p) JULY 1, 2003:";
line 9, strike "(III)".

Business After consideration on the merits, the committee recommends that the following be
Affairs referred favorably to the Committee of the Whole: HB00-1186
and Labor

MESSAGE FROM THE HOUSE
March 13, 2000

Mr. President:
The House has passed on Third Reading and returns herewith SB00-080, 098.
The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB00-095, amended as printed in House Journal, March 10, page 882.
HB00-1016, amended as printed in House Journal, March 10, pages 881-882.
HB00-1069, amended as printed in House Journal, March 10, page 882.
HB00-1269, amended as printed in House Journal, February 18, page 585.

MESSAGE FROM THE REVISOR
March 13, 2000

We herewith transmit:

without comment, as amended, SB00-095 and HB00-1016, 1069 and 1269.

INTRODUCTION OF BILLS--FIRST READING
The following bills were read by title and referred to the committees indicated:

- HB 00-1016

by Representatives T. Williams, Clapp, Decker and Larson; also Senators Anderson and Andrews--Concerning administrative procedures relating to the activities of administrative law judges in the division of administrative hearings in the department of personnel, and, in connection therewith, transferring responsibility for conducting prehearing conferences in workers' compensation cases from the division of workers' compensation in the department of labor and employment to the division of administrative hearings, requiring the adoption of procedural rules governing hearings before such administrative law judges, and requiring the adoption of rules for the rotation of cases heard by such administrative law judges, and making an appropriation therefor.

State, Veterans, & Military Affairs

Appropriations
- HB 00-1069

by Representatives Smith, George, Larson and Young; also Senators Dennis, Chlouber, Dyer, Teck and Wattenberg--Concerning the deployment of remote weather systems, and, in connection therewith, making an appropriation.

Transportation

Appropriations
- HB 00-1269

by Representatives Coleman, Dean, Kester, Miller, Takis and Tochtrop; also Senator Epps--Concerning information technology access for individuals who are blind.

Health, Environment, Welfare & Institutions

Appropriations

SIGNING OF BILLS

The President has signed: **HB00-1172 and 1324.**

On motion of Senator Blickensderfer, the Senate adjourned until 9:00 a.m., Tuesday, March 14, 2000.

Approved:

Ray Powers
President of the Senate

Attest:

Patricia K. Dicks
Secretary of the Senate