

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

104<sup>th</sup> Legislative Day Monday, April 17, 2000

Call to Order	By the President at 9:00 a.m.
Prayer	By the chaplain, Reverend Glen Hamlyn, Rocky Mountain Cathedral, Denver and the Mesa State College Chamber Choir, Grand Junction.
Roll Call	Present--Total, 31. Absent/Excused--Evans, Lacy, Phillips, Thiebaut--Total, 4. Present later--Evans, Phillips, Thiebaut.
Quorum	The President announced a quorum present.
Reading of Journal	On motion of Senator Dyer, reading of the Journal of Friday, April 14 <sup>th</sup> was dispensed with and the Journal stands approved as corrected by the Secretary.
	<b>SENATE SERVICES REPORT</b>
Senate Services	Correctly engrossed: SB 00-122, 128. Correctly enrolled: SB 00-061, 088.
	<b>COMMITTEE OF REFERENCE REPORTS</b>
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1012</u>
Appropriations	After consideration on the merits, the committee recommends that <u>HB00-1306</u> be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:  Strike the committee amendment, as printed in Senate Journal, March 22, page 708, lines 54 through 58, and substitute the following:  "Amend reengrossed bill, page 2, line 25, strike "THERE" and substitute "FOR TAX YEARS 2000 TO 2005, THERE".  Page 3, line 23, strike "2005." and substitute "2010."."
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1358</u>
Appropriations	After consideration on the merits, the committee recommends that <u>HB00-1069</u> be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:  Amend reengrossed bill, page 2, after line 3, insert the following:  "SECTION 2. 24-75-302 (1) (m), Colorado Revised Statutes, is amended to read:  24-75-302. Capital construction fund - capital assessment fees - calculation. (1) (m) On July 1, 2000, one hundred million dollars, plus one hundred eighty-four thousand ninety dollars pursuant to H.B.

97-1186; plus four hundred seventy-eight thousand six hundred thirty-four dollars pursuant to H.B. 97-1077, enacted at the first regular session of the sixty-first general assembly; plus twelve thousand two hundred seventeen dollars pursuant to S.B. 98-021, enacted at the second regular session of the sixty-first general assembly; plus seventy-one thousand two hundred seven dollars pursuant to H.B. 98-1160, enacted at the second regular session of the sixty-first general assembly; PLUS FIVE HUNDRED THOUSAND DOLLARS PURSUANT TO H.B. 00-1069, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SECOND GENERAL ASSEMBLY.

**SECTION 3.** 43-10-109 (3), Colorado Revised Statutes, is amended to read:

**43-10-109. Aviation fund created.** (3) The moneys in the fund shall be subject to annual appropriation by the general assembly, and except that, in each fiscal year, the general assembly shall appropriate an amount not to exceed five percent of the total amount of revenues credited to the fund pursuant to section 39-27-112 (2) (b), C.R.S., and subsection (2) of this section during the preceding fiscal year to be used to defray any administrative costs incurred by the division and the board in implementing and administering the provisions of this article, INCLUDING MAINTENANCE AND OPERATION OF REMOTE WEATHER SYSTEMS. Any monetary penalties collected pursuant to section 24-46.6-103 (1) (b), C.R.S., are continuously appropriated to the division to defray any administrative expenses incurred by the division and the board in enforcing the provisions of section 24-46.6-103 (1), C.R.S. The general assembly shall also appropriate from the fund an amount to the department of revenue for the reasonable expenses incurred in administering sections 39-26-114 (1) (a) (VII) and 39-26-203 (1) (c) and as provided in section 39-27-112 (2) (b), C.R.S."

Renumber succeeding sections accordingly.

Page 3, strike lines 20 through 26, and substitute the following:

**"SECTION 7. Appropriation.** In addition to any other appropriation, there is hereby appropriated, to the department of transportation, for allocation to the division of aeronautics, for the fiscal year beginning July 1, 2000, the sum of seven hundred thousand dollars (\$700,000), or so much thereof as may be necessary, for the implementation of this act. Of said sum, five hundred thousand dollars (\$500,000) shall be from the capital construction fund created in section 24-75-302, Colorado Revised Statutes, and two hundred thousand dollars (\$200,000) shall be from the aviation fund created in section 43-10-109, Colorado Revised Statutes."

Page 4, strike lines 1 through 6.

Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1381</u>
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1124</u>
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1214</u>
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1247</u>

Appropriations	After consideration on the merits, the committee recommends that <u>HB00-1201</u> be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:  Amend reengrossed bill, page 5, line 8, strike "TAKE" and substitute "H.B. 00-1201";  line 9, strike "HB 00-1201,".	1 2 3 4 5 6 7 8 9 10
Appropriations	After consideration on the merits, the committee recommends that <u>HB00-1294</u> be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:  Amend reengrossed bill, page 16, line 4, strike "(\$24,585)," and substitute "(\$24,585) and 0.3 FTE,".	11 12 13 14 15 16 17 18 19
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1256</u>	20 21 22 23 24
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1153</u>	25 26 27 28
Appropriations	After consideration on the merits, the committee recommends that <u>HB00-1235</u> be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:  Amend reengrossed bill, page 1, line 8, strike "TAKEN INTO CUSTODY,".  Page 2, line 4, strike "TAKEN INTO CUSTODY OR".  Page 3, line 5, strike "(\$18,481)," and substitute "(\$18,481) and 0.5 FTE,".	29 30 31 32 33 34 35 36 37 38 39 40 41 42
Appropriations	After consideration on the merits, the committee recommends that <u>HB00-1255</u> be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:  Amend reengrossed bill, page 3, line 22, strike "seventy-nine thousand two" and substitute "seventeen thousand six hundred dollars";  line 23, strike "hundred dollars (\$79,200)," and substitute "(\$17,600),".	43 44 45 46 47 48 49 50 51 52
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1365</u>	53 54 55 56
Appropriations	After consideration on the merits, the committee recommends that <u>HB00-1083</u> be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:  Amend reengrossed bill, page 6, line 9, strike "8-71-217." and substitute "8-71-216."  Page 9, line 20, after "ELECTED", insert "OFFICIALS".  Page 17, line 10, after "USE", insert "TITLE I".  Page 32, line 16, after " <b>partners.</b> ", insert "(a)";  line 18, strike "(a)" and substitute "(I)";  line 21, strike "(b)" and substitute "(II)";	57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72

after line 26, insert the following:

"(b) IF AN OPTIONAL PARTNER IS DESIGNATED OR CERTIFIED PURSUANT TO SUBSECTION (1) OF THIS SECTION, ITS FUNCTIONS AND RESPONSIBILITIES SHALL BE THE SAME AS THOSE OF A REQUIRED PARTNER AS SET FORTH IN SUBSECTION (3) OF THIS SECTION."

Page 34, line 3, strike "IF THE";

strike lines 4 through 8 and substitute the following:

"BY ANY OF THE FOLLOWING THREE METHODS:

(I) IF A ONE-STOP SYSTEM OR WORK FORCE INVESTMENT PROGRAM WAS ESTABLISHED IN A LOCAL AREA PRIOR TO THE EFFECTIVE DATE OF THE FEDERAL ACT, THE WORK FORCE BOARD AND LOCAL ELECTED OFFICIAL FOR THAT AREA MAY AGREE WITH EACH OTHER AND WITH THE GOVERNOR, ON A CASE-BY-CASE BASIS, TO DESIGNATE OR CERTIFY AS A ONE-STOP OPERATOR AN ENTITY CARRYING OUT ACTIVITIES UNDER SUCH PREEXISTING SYSTEM OR PROGRAM, SUBJECT TO THE REQUIREMENTS OF SECTIONS 8-71-216 AND 8-71-217 AND OF THE MEMORANDUM OF UNDERSTANDING.

(II) AN ENTITY MAY BE SELECTED FOR DESIGNATION OR CERTIFICATION AS A ONE-STOP OPERATOR THROUGH A COMPETITIVE PROCESS.

(III) AN ENTITY MAY BE SELECTED FOR DESIGNATION OR CERTIFICATION AS A ONE-STOP OPERATOR IN ACCORDANCE WITH AN AGREEMENT REACHED BETWEEN THE".

Page 36, line 4, after "TO", insert "THE AVAILABILITY OF WAGNER-PEYSER FUNDS AND TO".

Page 40, line 11, strike "APPROVAL AND FORWARDING" and substitute "REVIEW AND COMMENT BEFORE FORWARDING SUCH RECOMMENDATIONS";

line 16, strike "APPROVE" and substitute "SELECT";

line 20, after "ASSOCIATED", insert "STATE".

Page 42, line 2, strike "FINAL APPROVAL OF," and substitute "REVIEW AND COMMENT ON,".

Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1343</u>
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1142</u>
Appropriations	After consideration on the merits, the committee recommends that <u>HB00-1298</u> be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:  Strike the Transportation Committee amendment, as printed in Senate Journal, March 6, page 491, lines 61 through 68, and substitute the following:  "Amend reengrossed bill, page 1, line 8, strike "42-3-105 (1) (c) (I)." and substitute "42-3-105 (1) (c) (I) OR (1) (e).";  line 9, strike "42-3-105 (1) (c) (I)," and substitute "42-3-105 (1),";  strike line 10 and substitute the following:

"amended BY THE ADDITION OF A NEW PARAGRAPH to read:".

Strike page 2 and substitute the following:

**"42-3-105. Application for registration - tax - repeal.**  
(1) (e) THE OWNER OF A MOTOR VEHICLE THAT IS REQUIRED TO BE REGISTERED UNDER THIS ARTICLE NEED NOT COMPLY WITH SUBPARAGRAPH (I) OF PARAGRAPH (c) OF THIS SUBSECTION (1) IF SUCH OWNER SIGNS AND SUBMITS TO THE DEPARTMENT IN COMPLIANCE WITH THIS PARAGRAPH (e) A WRITTEN STATEMENT OF NONUSE. SUCH WRITTEN STATEMENT OF".

Page 3, line 5, strike "AND";

strike line 7 and substitute the following:

"OPERATED AND A STATEMENT THAT THE OWNER IS NEITHER OPERATING SUCH VEHICLE NOR PERMITTING ANY OTHER PERSON TO OPERATE SUCH VEHICLE DURING THE TIME PERIOD STATED; AND

(IV) DOCUMENTARY PROOF THAT THE OWNER CURRENTLY HAS INSURANCE COVERAGE UNDER SUBPARAGRAPH (I) OF PARAGRAPH (c) OF THIS SUBSECTION (1) ON AT LEAST ONE OTHER VEHICLE OWNED AND OPERATED BY SUCH OWNER.";

strike lines 8 through 26.

Strike page 4.

Page 5, strike lines 1 through 23 and substitute the following:

**"SECTION 3. No Appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.".

Renumber succeeding section accordingly.".

Finance	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee on Appropriations: <u>HB00-1067</u>
Finance	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee on Appropriations: <u>HB00-1274</u>
Finance	After consideration on the merits, the committee recommends that the following be postponed indefinitely: <u>HB00-1295</u>
Finance	After consideration on the merits, the committee recommends that the following be postponed indefinitely: <u>HB00-1275</u>

MESSAGE FROM THE HOUSE

April 14, 2000

Mr. President:

The House has adopted the First Report of the First Conference Committee on HB00-1451, as printed in House Journal, April 14, and has repassed the bill as amended.

The House has voted to concur in the Senate amendments to HB00-1025 and has repassed the bill as so amended.

The House has adopted the First Report of the First Conference Committee on HB00-1151, as printed in House Journal, April 3, pages 822-823, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on SB00-132, as printed in House Journal, April 13, page 1458-1459, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted and transmits herewith HJR00-1007, as printed in House Journal, February 17, page 557, and amended as printed in House Journal, April 14.

The House has adopted and transmits herewith HJR00-1020, as printed in House Journal, March 28, page 1126-1127.

The House has adopted and transmits herewith HJR00-1023, as printed in House Journal, March 31, page 1246.

The House has voted to authorize the House conferees on the First Conference Committee on HB00-1078 to consider matters not at issue between the two houses.

MESSAGE FROM THE REVISOR

April 14, 2000

We herewith transmit:

without comment, as amended, HB00-1026, 1107, 1215, 1221, 1371, 1418, 1427, 1431, 1432, 1458, 1467, 1474, and;  
with comment, as amended, HB00-1160.

INTRODUCTION OF BILLS

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

- SB 00-227 by Senator Wattenberg; also Representative McPherson--Concerning elimination in accordance with federal law of restrictions regarding the ability of banking institutions to offer financial services relating to securities.  
Business Affairs & Labor
- HB 00-1026 by Representatives Witwer, Alexander, Hagedorn, Hefley, Keller, Larson, Lawrence, Morrison, Tochtrop and Williams S.; also Senators Evans, Linkhart and Rupert--Concerning family resource centers, and making an appropriation therefor.  
Health, Environment, Welfare & Institutions  
Appropriations
- HB 00-1107 by Representatives Kaufman and Gagliardi; also Senator Wham--Concerning substantive changes for the strengthening of the criminal laws, and making an appropriation therefor.  
Judiciary  
Appropriations
- HB 00-1160 by Representatives Keller, Alexander and George; also Senator Linkhart--Concerning child placement preferences in dependency or neglect actions.  
Judiciary  
Appropriations
- HB 00-1215 by Representatives Gotlieb, Bacon, Clarke, Gordon, Grossman, Kaufman, Keller, Kester, Larson, Miller, Morrison, Smith, Spradley, Tapia, Williams S. and Witwer; also Senators Arnold, Blickensderfer, Dennis, Dyer, Feeley, Teck, Weddig and Pascoe--Concerning an increase in the state contribution for employees enrolled in group benefit plans, and making an appropriation in connection therefor.  
State, Veterans, & Military Affairs  
Appropriations

HB	00-1221	by Representative Bacon; also Senator Linkhart--Concerning the provision of health care to persons in the aid to the needy disabled program who are not receiving medicaid, and, making an appropriation in connection therewith. Health, Environment, Welfare & Institutions Appropriations	1 2 3 4 5 6
HB	00-1371	by Representatives Alexander, Kaufman, Larson and Spradley; also Senator Anderson--Concerning families in the court system, and making an appropriation in connection therewith. Judiciary Appropriations	7 8 9 10 11 12
HB	00-1418	by Representatives May, Young, Dean, George, Gordon, Hagedorn, Lee, McKay, Saliman and Scott; also Senators Teck, Blickensderfer, Feeley, Hillman, Owen and Powers--Concerning legislative oversight of communications and information technology within state government, and making an appropriation in connection therewith. Finance Appropriations	13 14 15 16 17 18 19
HB	00-1427	by Representatives Webster, Smith, Young, Alexander, Bacon, Clapp, Dean, Fairbank, George, Gotlieb, Hefley, Hoppe, Johnson, Kaufman, Kester, King, Larson, Lee, Mace, McElhany, McKay, Miller, Mitchell, Morrison, Nunez, Plant, Ragsdale, Scott, Sinclair, Spradley, Swenson, Tapia, Taylor, Tool, Veiga, Vigil, Williams S., Williams T. and Witwer; also Senator Owen--Concerning the office of smart growth, and making an appropriation therefor. Local Government Appropriations	20 21 22 23 24 25 26 27 28
HB	00-1431	by Representatives Scott, Witwer, Stengel and Mace; also Senator Dennis--Concerning water and wastewater facility operators. Agriculture, Natural Resources, and Energy Appropriations	29 30 31 32 33
HB	00-1432	by Representatives Berry, Tool and Saliman; also Senators Lacy, Owen and Tanner--Concerning the coordination of suicide prevention programs, and making an appropriation therefor. Health, Environment, Welfare & Institutions Appropriations	34 35 36 37 38 39
HB	00-1458	by Representatives Dean, Gotlieb, Lawrence, Alexander, Allen, Berry, Clapp, Decker, Fairbank, George, Grossman, Hefley, Hoppe, Johnson, Kaufman, Kester, King, Larson, Lee, Leyba, Mace, May, McElhany, McKay, McPherson, Morrison, Nunez, Paschall, Plant, Ragsdale, Saliman, Scott, Sinclair, Smith, Spence, Spradley, Stengel, Swenson, Taylor, Tool, Veiga, Webster, Williams T., Witwer and Young; also Senators Owen and Hernandez--Concerning modifications to existing benefit plans for members of the public employees' retirement association, and making an appropriation in connection therewith. State, Veterans, & Military Affairs Appropriations	40 41 42 43 44 45 46 47 48 49
HB	00-1467	by Representatives Stengel, Lee and Kester; also Senator Tebedo--Concerning direct record electronic voting machines. State, Veterans, & Military Affairs	50 51 52 53 54
HB	00-1474	by Representatives Larson, Smith and Takis; also Senator Dennis--Concerning the authority of the Colorado oil and gas conservation commission to spend forfeited financial assurance moneys. Agriculture, Natural Resources, and Energy	55 56 57 58 59 60 61

**INTRODUCTION OF RESOLUTIONS**

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

HJR	00-1007	by Representatives Morrison, Berry, Saliman and Tool; also Senator Reeves--Concerning a study by designated executive branch agency directors to evaluate the feasibility of the state requiring assistance to Medicare recipients for pharmaceutical reimbursement. Health, Environment, Welfare & Institutions	62 63 64 65 66 67 68 69 70 71 72
-----	---------	---	--

- HJR 00-1020 by Representatives Sinclair, Miller, May, Pfiffner, Coleman, Gotlieb, King, Mace, Nunez, Scott, Takis, Taylor, Tochtrop and Zimmerman; also Senator Owen--Concerning funding for the United States' armed forces.  
State, Veterans, & Military Affairs
- HJR 00-1023 by Representative Gordon; also Senator Pascoe--Concerning the recognition of the People to People Ambassadorship Program.  
State, Veterans, & Military Affairs

FIRST REPORT OF FIRST CONFERENCE COMMITTEE  
ON SB00-132

\*\*\*\*\*  
THIS REPORT AMENDS THE  
REREVISED BILL  
\*\*\*\*\*

To the President of the Senate and the  
Speaker of the House of Representatives:

Your first conference committee appointed on SB00-132, concerning information provided to consumers by consumer reporting agencies, has met and reports that it has agreed upon the following:

That the Senate accede to the House amendments made to the bill, as said amendments appear in the rerevised bill, with the following change:

Amend rerevised bill, page 2, line 6, strike "TEN" and substitute "EIGHT".

Respectfully submitted,

Senate Committee:	House Committee:
(Signed)	(Signed)
Sen. Tom Blickensderfer, Chairman	Rep. Jack Taylor, Chairman
Sen. Doug Lamborn	Rep. Lola Spradley
Sen. Frank Weddig	Rep. Carl Miller

MESSAGE FROM THE GOVERNOR

April 14, 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:

S. B. 00 - 012 - Concerning The Deregulation Of Retail Sales Of Specified Telecommunications Services, And, In Connection Therewith, Deregulating Retail Directory Assistance And Private Line Services.

Approved April 14, 2000 at 10:30 a.m.

S. B. 00 - 065 - Concerning Access To Funds For The Temporary Assistance For Needy Families Program In Order To Make Transfers Allowable Under Federal Law.

Approved April 14, 2000 at 11:10 p.m.



**S. B. 00 - 072 -** Concerning The Administration Of Sales Tax Collections Of The Department Of Revenue For Local Governments.

Approved April 14, 2000 at 11:05 a.m.

**S. B. 00 - 103 -** Concerning The Establishment Of The Colorado Commission On Taxation.

Approved April 14, 2000 at 11:05 a.m.

**S. B. 00 - 189 -** Concerning Grand Jury Proceedings.

Approved April 14, 2000 at 11:07 a.m.

Sincerely,  
(Signed)  
Bill Owens  
Governor  
Rec'd 4/14/00  
P. Dicks, Secretary

**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:

SB    00-122   by Sen. Lacy; Rep. Dean--Limited Gaming Fund Distributions

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

YES	29	NO	4	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	N	Lamborn	Y	Phillips	Y	Weddig	N
Dennis	Y	Linkhart	N	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.

SB    00-128   by Sen. Lacy; Rep. Dean--Nursing Facility Medicaid Reimbursement

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
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, Weddig.

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.

GENERAL 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:

SB 00-199 by Sen. Blickensderfer; Rep. Scott--Use Excess State Revenues For Monorail  
Laid over until Tuesday, April 18, retaining its place on the calendar.

HB 00-1368 by Rep. Lee; Senator Blickensderfer--State Licensing Of Res Facilities

Amendment No. 1, Local Government Committee Amendment  
(Printed in Senate Journal, April 5, pages 859-862.)

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

HB 00-1173 by Rep. Lawrence; Senator Arnold--Teacher Development Schedules

Amendment No. 1, Education Committee Amendment  
(Printed in Senate Journal, March 16, page 645..)

Amendment No. 2, Appropriations Committee Amendment  
(Printed in Senate Journal, April 4, page 837.)

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

HB 00-1394 by Rep. McPherson; Sen. Blickensderfer--Prevent Voter Fraud

Laid over until Tuesday, April 18, retaining its place on the calendar.

SB 00-173 by Sen. Evans; Rep. Gotlieb--State Charter Schools

Laid over until Tuesday, April 18, retaining its place on the calendar.

SB 00-217 by Sen. Chlouber; Rep. Young--Class C Horse Racing Tracks

Referred to the Committee on Appropriations.

HB 00-1439 by Rep. Taylor; Senator Wattenberg--Valuation Of Producing Mines

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

HB 00-1426 by Rep. Hefley; Sen. Evans--Driving Under Restraint

Amendment No. 1, by Senator Evans

Amend reengrossed bill, page 2, line 17, after "PROBATION.", insert "THE COURT SHALL REQUIRE ANY DEFENDANT ORDERED TO PERFORM USEFUL PUBLIC SERVICE UNDER THIS SUBPARAGRAPH (II) TO COMPLETE SUCH USEFUL PUBLIC SERVICE WITHIN A DEFINITE TIME PERIOD NOT TO EXCEED TWELVE MONTHS. THE COURT SHALL HAVE DISCRETION ONLY IN CASES OF

EXTREME HARDSHIP TO EXTEND THE COMPLETION PERIOD BEYOND TWELVE MONTHS, BUT IN NO EVENT SHALL SUCH PERIOD EXCEED EIGHTEEN MONTHS."

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

HB 00-1438 by Rep. Taylor; Senator Wattenberg--CWCB Conditional Water Right Repeal  
Ordered revised and placed on the calendar for Third Reading and Final Passage.

SB 00-218 by Sen. Powers; Rep. Kaufman--Requiring Jail Inmates To Work

Amendment No. 1, by Senator Powers

Amend printed bill, page 2, line 8, strike "day; EXCEPT THAT THE" and substitute "day.";

strike lines 9 through 12 and substitute the following:

"The provisions of this section";

line 17, strike "~~It is the duty~~" and substitute "It is the duty of the sheriff of such county or the marshal or the chief of police of such municipality, when no other work is available, to compel the prisoners to work upon the public roads, highways, or streets of such county or";

strike lines 18 through 20;

line 21, strike "~~municipality~~" and substitute "municipality.".

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 , 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:

HB00-1439, HB00-1438 declared passed on Second Reading.  
SB00-218, as amended; HB00-1368, as amended; HB00-1173, as amended; HB00-1426, as amended, declared passed on Second Reading.  
SB00-217 referred to Committee on Appropriations.  
SB00-199, SB00-173, HB00-1394 laid over until Tuesday, April 18, retaining their place on the calendar.

On motion of Senator Blickensderfer, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House amendments to Senate bills.

**CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS**

SB 00-120 by Sen. Perlmutter; Rep. Kaufman--Rule Review Bill

Laid over until Tuesday, April 18, retaining its place on the calendar.

SB 00-069 by Sen. Chlouber; Rep. Tool--Payment To Families Upon Employee Death

Senator Chlouber moved that the Senate concur in House amendments to SB00-069, as printed in House Journal, March 29, page 1142. The motion was adopted by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
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		

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
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, as amended, was declared REPASSED.

SB 00-195 by Sen. Chlouber--Professional Competencies of Educators

Laid over until Tuesday, April 18, retaining its place on the calendar.

SB 00-154 by Sen. Tebedo; Rep. McPherson--Defenses To Weapons Laws

Senator Tebedo moved that the Senate not concur in House amendments to SB00-154, as printed in House Journal, March 31, pages 1222-1223, and that a Conference Committee be appointed.

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

The President appointed Senators Tebedo, Chairman, Wham and Nichol as Senate Conferees on the First Conference Committee on SB00-154.

Senator Tebedo moved that the Senate Conferees on the First Conference Committee on SB00-154 be given the powers to go beyond the scope of the differences between the two Houses.

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

SB 00-188 by Sen. Blickensderfer; Rep. McPherson--Fees For & Access To Patient Records

Laid over until Tuesday, April 18, retaining its place on the calendar.

SB 00-011 by Sen. Lamborn; Rep. Gotlieb--MVD Licenses And ID Cards

Laid over until Tuesday, April 18, retaining its place on the calendar.

SB 00-190 by Sen. Feeley; Rep. Kaufman--Methyl Tertiary Butyl Ether (MTBE)

Senator Feeley moved that the Senate concur in House amendments to SB00-190, as printed in House Journal, April 6, pages 1342-1343. The motion was adopted by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
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		

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
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, as amended, was declared REPASSED.

Co-sponsor added: Powers.

CONSIDERATION OF HOUSE ADHERENCE

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

Senator Matsunaka moved that the Senate recede from its position on HB00-1185.

On a substitute motion, Senator Martinez moved that the Senate adhere to its position on HB00-1185.

The motion to adhere was lost by the following roll call vote:

YES	13	NO	20	EXCUSED	2	ABSENT	0
Anderson	N	Evans	Y	Musgrave	N	Tanner	E
Andrews	N	Feeley	Y	Nichol	N	Tebedo	N
Arnold	N	Hernandez	Y	Owen	N	Teck	N
Blickensderfer	N	Hillman	N	Pascoe	N	Thiebaut	Y
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	N
Congrove	N	Lamborn	N	Phillips	Y	Weddig	N
Dennis	Y	Linkhart	Y	Reeves	N	Wham	N
Dyer	N	Martinez	Y	Rupert	Y	Mr. President	N
Epps	Y	Matsunaka	N	Sullivan	Y		

Senator Matsunaka renewed his motion that the Senate recede from its position on HB00-1185. The motion to recede was declared passed by the following roll call vote:

YES	25	NO	8	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	E
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	N	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	N	Thiebaut	N
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	N	Weddig	N
Dennis	Y	Linkhart	N	Reeves	Y	Wham	Y
Dyer	Y	Martinez	N	Rupert	N	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivant	Y		

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

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

Senator Hillman moved for the adoption of the First Report of the First Conference Committee on HB00-1267, printed in Senate Journal, April 10, pages 918-919. The motion was adopted by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	E
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
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		

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	E
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
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 REPASSED.

Co-sponsors added: Hernandez, Sullivant, Weddig.

HB 00-1229 by Rep. McPherson; Sen. Chlouber--Gov Cand Selects Lieut Gov Cand

Senator Chlouber moved for the adoption of the First Report of the First Conference Committee on HB00-1229, printed in Senate Journal, April 10, pages 919-920. The motion was adopted by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	E
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
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		

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	E
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
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, as amended, was declared REPASSED.

Co-sponsor added: Hernandez.

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

Senator Lamborn moved for the adoption of the First Report of the First Conference Committee on HB00-1326, printed in Senate Journal, April 13, page 979. The motion was adopted by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	E
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
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		

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

YES	32	NO	1	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	E
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	N
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, as amended, was declared REPASSED.

SB 00-171 by Sen. Tanner; Rep. Berry--Abandoned Children

Laid over until later in the day.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SB 00-132 by Sen. Weddig; Rep. Miller--Consumer Reporting Agency Information

Senator Weddig moved for the adoption of the First Report of the First Conference Committee on SB00-132, printed in Senate Journal, April 17, page 1014. The motion was adopted by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	N	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivan	Y		

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
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, as amended, was declared REPASSED.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SB 00-171 by Sen. Tanner; Rep. Berry--Abandoned Children

Senator Tanner moved for the adoption of the First Report of the First Conference Committee on SB00-171, printed in Senate Journal, April 14, page 982. The motion was adopted by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
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		

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

YES	28	NO	6	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	N	Feeley	Y	Nichol	Y	Tebedo	N
Arnold	N	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	N	Pascoe	Y	Thiebaut	Y
Chlouber	N	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	N		

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

Co-sponsor added: Congrove.

On motion of Senator Blickensderfer, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, April 17, was laid over until Tuesday, April 18, retaining its place on the calendar.

Senate in recess.

Senate reconvened.

SENATE SERVICES REPORT

Senate Services
 Correctly engrossed: SB 00-218.

Correctly revised: HB 00-1173, 1368, 1426, 1438, 1439.



SENATE SERVICES REPORT

Senate  
Services

To the governor for signature on Monday, April 17, 2000, at 3:25 p.m:  
SB 00-106.

COMMITTEE OF REFERENCE REPORT

Finance

After consideration on the merits, the committee recommends that HB00-1063 be amended as follows and, as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend reengrossed bill, page 2, line 2, after "(1)", insert "(a)";  
after line 13, insert the following:

"(b) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT CREATING AN INCOME TAX CREDIT FOR HEALTH CARE PROFESSIONALS PRACTICING IN HEALTH CARE PROFESSIONAL SHORTAGE AREAS IS A REASONABLE METHOD OF REFUNDING A PORTION OF THE EXCESS STATE REVENUES REQUIRED TO BE REFUNDED IN ACCORDANCE WITH SECTION 20 (7) (d) OF ARTICLE X OF THE STATE CONSTITUTION.";

line 21, strike "COUNTY THAT" and substitute "COUNTY, WHICH COUNTY";

line 24, strike "WELD;" and substitute "WELD, AND IS LOCATED THIRTY OR MORE MILES FROM THE NEAREST HOSPITAL CONTAINING THIRTY OR MORE BEDS;"

Page 3, strike lines 12 and 13 and substitute the following:

"(3) SUBJECT TO SUBSECTION (9) OF THIS SECTION, FOR ANY INCOME TAX YEAR COMMENCING ON OR AFTER JANUARY 1, 2000, BUT PRIOR TO JANUARY 1, 2005, IF, BASED ON THE FINANCIAL REPORT PREPARED BY THE CONTROLLER IN ACCORDANCE WITH SECTION 24-77-106.5, C.R.S., THE CONTROLLER CERTIFIES THAT THE AMOUNT OF EXCESS STATE REVENUES FOR THE STATE FISCAL YEAR ENDING IN THAT INCOME TAX YEAR EXCEEDS THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY SECTION 20 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION AND THE VOTERS STATEWIDE EITHER HAVE NOT AUTHORIZED THE STATE TO RETAIN AND SPEND ALL OF THE EXCESS STATE REVENUES OR HAVE AUTHORIZED THE STATE TO RETAIN AND SPEND ONLY A PORTION OF THE EXCESS STATE REVENUES FOR THAT FISCAL YEAR, THERE SHALL BE ALLOWED TO EACH TAXPAYER A CREDIT AGAINST".

Page 6, after line 5, insert the following:

"(9) FOR ANY INCOME TAX YEAR COMMENCING ON OR AFTER JANUARY 1, 2000, BUT PRIOR TO JANUARY 1, 2005, IF, BASED ON THE FINANCIAL REPORT PREPARED BY THE CONTROLLER IN ACCORDANCE WITH SECTION 24-77-106.5, C.R.S., THE CONTROLLER CERTIFIES THAT THE AMOUNT OF STATE REVENUES FOR THE STATE FISCAL YEAR ENDING IN THAT INCOME TAX YEAR DOES NOT EXCEED THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY SECTION 20 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION BY MORE THAN TWO HUNDRED SIXTY-FIVE MILLION DOLLARS OR IF VOTERS STATEWIDE AUTHORIZE THE STATE TO RETAIN AND SPEND ALL OF THE EXCESS STATE REVENUES FOR THAT STATE FISCAL YEAR, THEN THE CREDIT AUTHORIZED BY SUBSECTION (3) OF THIS SECTION SHALL NOT BE ALLOWED FOR THE INCOME TAX YEAR IN WHICH SUCH STATE FISCAL YEAR ENDED.

(10) IF, BASED ON THE FINANCIAL REPORT PREPARED BY THE CONTROLLER IN ACCORDANCE WITH SECTION 24-77-106.5, C.R.S., THE CONTROLLER CERTIFIES THAT THE AMOUNT OF STATE REVENUES FOR ANY STATE FISCAL YEAR ENDING IN ANY INCOME TAX YEAR COMMENCING ON OR AFTER JANUARY 1, 2000, BUT PRIOR TO JANUARY 1, 2005, EXCEEDS THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY SECTION 20 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION FOR THAT FISCAL YEAR BY LESS THAN TWO HUNDRED SIXTY-FIVE MILLION DOLLARS, AS ADJUSTED PURSUANT TO SUBSECTION (11) OF THIS SECTION, THEN THE STATE INCOME

TAX CREDIT AUTHORIZED BY SUBSECTION (3) OF THIS SECTION SHALL NOT BE ALLOWED FOR THE INCOME TAX YEAR IN WHICH SAID STATE FISCAL YEAR ENDED.

(11) (a) NO LATER THAN OCTOBER 1 OF ANY GIVEN CALENDAR YEAR COMMENCING ON OR AFTER JANUARY 1, 2000, THE EXECUTIVE DIRECTOR SHALL ANNUALLY ADJUST THE DOLLAR AMOUNT SPECIFIED IN THIS SUBSECTION (11) TO REFLECT THE RATE OF GROWTH OF COLORADO PERSONAL INCOME FOR THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH SUCH ADJUSTMENT IS MADE. FOR PURPOSES OF THIS PARAGRAPH (a), "THE RATE OF GROWTH OF COLORADO PERSONAL INCOME" MEANS THE PERCENTAGE CHANGE BETWEEN THE MOST RECENT PUBLISHED ANNUAL ESTIMATE OF TOTAL PERSONAL INCOME FOR COLORADO, AS DEFINED AND OFFICIALLY REPORTED BY THE BUREAU OF ECONOMIC ANALYSIS IN THE UNITED STATES DEPARTMENT OF COMMERCE FOR THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH THE ADJUSTMENT IS MADE AND THE MOST RECENT PUBLISHED ANNUAL ESTIMATE OF TOTAL PERSONAL INCOME FOR COLORADO, AS DEFINED AND OFFICIALLY REPORTED BY THE BUREAU OF ECONOMIC ANALYSIS IN THE UNITED STATES DEPARTMENT OF COMMERCE FOR THE CALENDAR YEAR PRIOR TO THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH THE ADJUSTMENT IS MADE.

(b) UPON CALCULATING THE ADJUSTMENT OF SAID DOLLAR AMOUNT IN ACCORDANCE WITH PARAGRAPH (a) OF THIS SUBSECTION (11), THE EXECUTIVE DIRECTOR SHALL NOTIFY IN WRITING THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL CREATED PURSUANT TO SECTION 2-3-301 (1), C.R.S., OF THE ADJUSTED DOLLAR AMOUNT AND THE BASIS FOR THE ADJUSTMENT. SUCH WRITTEN NOTIFICATION SHALL BE GIVEN WITHIN FIVE WORKING DAYS AFTER SUCH CALCULATION IS COMPLETED, BUT SUCH WRITTEN NOTIFICATION SHALL BE GIVEN NO LATER THAN OCTOBER 1 OF THE CALENDAR YEAR.

(c) IT IS THE FUNCTION OF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL TO REVIEW AND APPROVE OR DISAPPROVE SUCH ADJUSTMENT OF SAID DOLLAR AMOUNT WITHIN TWENTY DAYS AFTER RECEIPT OF SUCH WRITTEN NOTIFICATION FROM THE EXECUTIVE DIRECTOR. ANY ADJUSTMENT THAT IS NOT APPROVED OR DISAPPROVED BY THE EXECUTIVE COMMITTEE WITHIN SAID TWENTY DAYS SHALL BE AUTOMATICALLY APPROVED; EXCEPT THAT, IF WITHIN SAID TWENTY DAYS THE EXECUTIVE COMMITTEE SCHEDULES A HEARING ON SUCH ADJUSTMENT, SUCH AUTOMATIC APPROVAL SHALL NOT OCCUR UNLESS THE EXECUTIVE COMMITTEE DOES NOT APPROVE OR DISAPPROVE SUCH ADJUSTMENT AFTER THE CONCLUSION OF SUCH HEARING. ANY HEARING CONDUCTED BY THE EXECUTIVE COMMITTEE PURSUANT TO THIS PARAGRAPH (c) SHALL BE CONCLUDED NO LATER THAN TWENTY-FIVE DAYS AFTER RECEIPT OF SUCH WRITTEN NOTIFICATION FROM THE EXECUTIVE DIRECTOR.

(d) IF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL DISAPPROVES ANY ADJUSTMENT OF SAID DOLLAR AMOUNT CALCULATED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE PURSUANT TO THIS SUBSECTION (11), THE EXECUTIVE COMMITTEE SHALL SPECIFY SUCH ADJUSTED DOLLAR AMOUNT TO BE UTILIZED BY THE EXECUTIVE DIRECTOR. ANY ADJUSTED DOLLAR AMOUNT SPECIFIED BY THE EXECUTIVE COMMITTEE PURSUANT TO THIS PARAGRAPH (d) SHALL BE CALCULATED IN ACCORDANCE WITH THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (11).

(e) FOR THE PURPOSE OF DETERMINING WHETHER THE STATE INCOME TAX CREDIT AUTHORIZED BY THIS SECTION IS TO BE ALLOWED IN ANY GIVEN TAX YEAR, THE EXECUTIVE DIRECTOR SHALL NOT UTILIZE ANY ADJUSTED DOLLAR AMOUNT THAT HAS NOT BEEN APPROVED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (11) OR OTHERWISE SPECIFIED PURSUANT TO PARAGRAPH (d) OF THIS SUBSECTION (11).

(12) ANY INCOME TAX CREDIT FOR HEALTH CARE PROFESSIONALS PRACTICING IN A HEALTH CARE PROFESSIONAL SHORTAGE AREA ALLOWED FOR ANY GIVEN TAXABLE YEAR PURSUANT TO THIS SECTION SHALL BE PUBLISHED IN THE RULES PROMULGATED BY THE EXECUTIVE DIRECTOR IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S., AND SHALL BE INCLUDED IN INCOME TAX FORMS FOR THAT TAXABLE YEAR.

(13) IF ONE OR MORE BALLOT QUESTIONS ARE SUBMITTED TO THE VOTERS AT A STATEWIDE ELECTION TO BE HELD IN NOVEMBER OF ANY CALENDAR YEAR COMMENCING ON OR AFTER JANUARY 1, 2000, THAT SEEK AUTHORIZATION FOR THE STATE TO RETAIN AND SPEND ALL OR ANY PORTION OF THE AMOUNT OF EXCESS STATE REVENUES FOR THE STATE FISCAL YEAR ENDING DURING SAID CALENDAR YEAR, THE EXECUTIVE DIRECTOR SHALL NOT DETERMINE WHETHER THE CREDIT AUTHORIZED BY SUBSECTION (3) OF THIS SECTION SHALL BE ALLOWED AND SHALL NOT PROMULGATE RULES CONTAINING SAID CREDIT UNTIL THE IMPACT OF THE RESULTS OF SAID ELECTION ON THE AMOUNT OF THE EXCESS STATE REVENUES TO BE REFUNDED IS ASCERTAINED."

**MESSAGE FROM THE HOUSE**

April 17, 2000

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB00-1479.

The House has passed on Third Reading and returns herewith SCR00-002.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB00-1423, amended as printed in House Journal, April 14, page 1538.  
HB00-1043, amended as printed in House Journal, April 14, page 1545.  
HB00-1071, amended as printed in House Journal, April 14, pages 1545-1546.  
HB00-1429, amended as printed in House Journal, April 14, page 1546.  
HB00-1430, amended as printed in House Journal, April 14, page 1546.  
SB00-119, amended as printed in House Journal, April 14, page 1539.

**MESSAGE FROM THE REVISOR**

April 17, 2000

We herewith transmit:

without comment, HB00-1479, and;  
without comment, as amended, HB00-1043, 1071, 1423, 1429, 1430, and;  
without comment, as amended, SB00-119.

**MESSAGE FROM THE GOVERNOR**

April 17, 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:

**S. B. 00 - 024-** Concerning Authorization Of An Exception To The Sex Offender Registration Requirement For Juveniles Who Commit Misdemeanor Sexual Offenses.

Approved April 17, 2000 at 10:47 a.m.

**S. B. 00 - 068 -** Concerning An Increase In the Burial Expense Benefit For Deceased Employees Under The "Workers' Compensation Act Of Colorado", And, In Connection Therewith, Specifying That Such Increase Shall Be From The Current Level Of A Sum Not To Exceed Four Thousand Dollars To A New Level Of A Sum Not To Exceed Seven Thousand Dollars.

Approved April 17, 2000 at 8:50 a.m.

**S. B. 00 - 141 -** Concerning Enforcement Authority Of The State Capitol Building  
Advisory Committee Over Objects Placed At The State Capitol.

Approved April 17, 2000 at 10:49 a.m.

Sincerely,  
(Signed)  
Bill Owens  
Governor  
Rec'd 4/17/00  
P. Dicks, Secretary

**SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

The President has signed: HB00-1216, 1271, 1291, 1297, 1314.

The President has signed: HB00-1451

**TRIBUTES--A POINT OF INTEREST**

Honoring Jason Phillips by Senator Lamborn & Representative Hefley

On motion of Senator Evans, the Senate adjourned until 9:00 a.m., Tuesday,  
April 18, 2000.

Approved:

Ray Powers  
President of the Senate

Attest:

Patricia K. Dicks  
Secretary of the Senate

