

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

14<sup>th</sup> Legislative Day

Tuesday, January 18, 2000

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

Prayer By the chaplain, Reverend Arlyn Tolzmann, Holy Cross Lutheran Church, Wheat Ridge.

Roll Call Present--Total, 31.  
Absent/Excused--Evans, Hernandez, Lacy, Perlmutter--Total, 4.  
Present later--Evans, Hernandez, Lacy.

Quorum The President announced a quorum present.

Reading of Journal	On motion of Senator Dyer, reading of the Journal of Monday, January 17 <sup>th</sup> was dispensed with and the Journal stands approved as corrected by the Secretary.
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## SENATE SERVICES REPORT

Senate  
Services

Correctly printed: SB 00-123, 124.

## COMMITTEE OF REFERENCE REPORTS

Business Affairs      After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: SB00-067

Business Affairs and Labor      The Committee on Business Affairs and Labor has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

WORKERS' COMPENSATION COST  
CONTAINMENT BOARD

for a term expiring December 13, 2001:

Matthew J. Krell of Littleton, Colorado, to serve as an executive with risk management experience in the insurance business, and as a Republican, appointed.

Education After consideration on the merits, the committee recommends that SB00-004 be amended as follows, and as so amended, be referred to the Finance Committee with favorable recommendation:

Amend printed bill, page 3, strike lines 10 through 13, and substitute the following:

"(1) "ACADEMIC PERFORMANCE" MEANS STUDENT PERFORMANCE IN THE AREAS OF MATHEMATICS AND SCIENCE WHICH MAY INCLUDE STUDENT PERFORMANCE ON THE MATHEMATICS AND SCIENCE ASSESSMENTS ADMINISTERED PURSUANT TO SECTION 22-7-409.";

after line 13, insert the following:

"(2) "COMMITTEE" MEANS THE PERFORMANCE GRANT REVIEW COMMITTEE ESTABLISHED PURSUANT TO SECTION 22-85-104 (1).".

Renumber succeeding subsections accordingly.

Page 3, line 24, strike "SECTION AND SUCH OTHER MONEYS AS MAY BE  
MADE AVAILABLE BY" and substitute "SECTION.";

line 25, strike "THE GENERAL ASSEMBLY."

Page 5, after line 2, insert the following:

**"22-85-104. Performance grant review committee -  
membership - duties.** (1) (a) THERE IS HEREBY ESTABLISHED THE  
PERFORMANCE GRANT REVIEW COMMITTEE. THE COMMITTEE SHALL  
CONSIST OF THE FOLLOWING MEMBERS:

- (I) THE MEMBERS OF THE STATE BOARD;
- (II) THREE MEMBERS APPOINTED BY THE GOVERNOR WHO NEED  
NOT BE CONFIRMED BY THE SENATE;
- (III) THREE MEMBERS FROM THE HOUSE OF REPRESENTATIVES, TWO  
APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND ONE  
APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES;  
AND
- (IV) THREE MEMBERS FROM THE SENATE, TWO APPOINTED BY THE  
PRESIDENT OF THE SENATE AND ONE APPOINTED BY THE MINORITY LEADER  
OF THE SENATE.

(b) THE TERM OF EACH MEMBER APPOINTED BY THE GOVERNOR  
SHALL BE FOUR YEARS; EXCEPT THAT, OF SUCH MEMBERS FIRST  
APPOINTED, ONE SHALL BE APPOINTED FOR A TERM OF TWO YEARS. THE  
TERM OF EACH MEMBER FROM THE GENERAL ASSEMBLY SHALL EXPIRE AT  
THE END OF THE MEMBER'S LEGISLATIVE TERM AND THE TERM OF EACH  
MEMBER FROM THE STATE BOARD SHALL EXPIRE AT THE END OF THE  
MEMBER'S STATE BOARD TERM. ALL MEMBERS OF THE COMMITTEE SHALL  
BE ELIGIBLE FOR REAPPOINTMENT. A MEMBER APPOINTED TO FILL THE  
VACANCY OF ANOTHER MEMBER ARISING OTHER THAN BY EXPIRATION OF  
SUCH OTHER MEMBER'S TERM SHALL BE APPOINTED FOR THE UNEXPIRED  
TERM OF SUCH OTHER MEMBER.

(2) MEMBERS OF THE COMMITTEE SHALL SERVE WITHOUT  
COMPENSATION.

(3) THE COMMITTEE SHALL HAVE THE FOLLOWING POWERS,  
DUTIES, AND FUNCTIONS:

- (a) TO RECEIVE AND REVIEW APPLICATIONS FOR PERFORMANCE  
GRANTS SUBMITTED BY SCHOOL DISTRICTS PURSUANT TO THIS ARTICLE;
- (b) TO EXPEND MONEYS IN THE SCHOOL PERFORMANCE GRANT  
FUND FOR THE PURPOSE OF ISSUING PERFORMANCE GRANTS TO SCHOOL  
DISTRICTS FOR THE PURPOSE OF INCREASING ACADEMIC PERFORMANCE;
- (c) TO PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF  
TITLE 24, C.R.S., THAT DEFINE OR RELATE TO THE GRANT APPLICATION  
PROCESS; AND
- (d) TO EXERCISE ANY OTHER POWERS NECESSARY TO OVERSEE THE  
PERFORMANCE GRANT PROGRAM ESTABLISHED BY THIS ARTICLE.";

line 3, strike "**22-85-104.**" and substitute "**22-85-105.**";

line 5, strike "STATE BOARD" and substitute "COMMITTEE";

line 9, strike "STATE BOARD" and substitute "COMMITTEE";

line 14, strike "STATE BOARD" and substitute "COMMITTEE";

line 19, strike "STATE BOARD" and substitute "COMMITTEE";

line 21, strike "STATE BOARD" and substitute "COMMITTEE";

line 24, strike "STATE BOARD" and substitute "COMMITTEE";

line 25, strike "STATE BOARD" and substitute "COMMITTEE".

Page 6, line 1, strike "STATE BOARD" and substitute "COMMITTEE";

line 2, strike "STATE BOARD" and substitute "COMMITTEE";

line 5, strike "STATE BOARD" and substitute "COMMITTEE";

line 10, strike "STATE BOARD" and substitute "COMMITTEE".

Page 7, line 11, strike "STATE" and substitute "COMMITTEE";

line 12, strike "BOARD";

line 20, strike "STATE BOARD" and substitute "COMMITTEE".

Page 1, line 105, after "PERFORMANCE", insert "IN MATHEMATICS AND SCIENCE".

SIGNING OF BILLS

The President has signed: SR00-5.

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 00-017 by Sen. Blickensderfer; Rep. May--Auto Dealers Off-site Books & Records

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	E	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	E	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
Chlouber	Y	Lacy	E	Perlmutter	E	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.

SB 00-023 by Sen. Anderson; Rep. Hoppe--Hazard Substance Incident Reimbursement

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	Y
Arnold	Y	Hernandez	E	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
Chlouber	Y	Lacy	E	Perlmutter	E	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: Phillips, Powers.

SB 00-033 by Sen. Dennis--Safe Drinking Water Act Exemptions

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

YES	29	NO	3	EXCUSED	3	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	E	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	N	Thiebaut	Y
Chlouber	Y	Lacy	E	Perlmutter	E	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	Y
Dyer	Y	Martinez	N	Rupert	N	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: Chlouber, Congrove, Lamborn, Musgrave, Owen, Sullivant, Wattenberg.

SB 00-055 by Sen. Wattenberg; Rep. Smith--Local Mineral Impact Fund

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	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	E	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: Chlouber, Hernandez, Pascoe.

SB 00-064 by Sen. Arnold; Rep. Spence--Extending The Student Loan Enterprise

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	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	E	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-sponsor added: Phillips.

SB 00-003 by Sen. Perlmutter; Rep. Smith--Property Exempt In Debt Collect Actions

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

YES	32	NO	1	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	N
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
Chlouber	Y	Lacy	E	Perlmutter	E	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.

SB 00-066 by Sen. Teck; Rep. Larson--Employee Leasing Company Liens

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	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	E	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.

SB 00-035 by Sen. Owen; Rep. T. Williams--Insurance Company Investment Plans

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	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	E	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.

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

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	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	E	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.

Co-sponsors added: Hernandez, Lamborn, Nichol, Pascoe, Phillips, Rupert, Wattenberg, Weddig.

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 Tuesday, January 18, was laid over until Wednesday, January 19, retaining its place on the calendar.

On motion of Senator Blickensderfer, the Senate adjourned until 9:00 a.m., Wednesday, January 19, 2000.

Approved:

Ray Powers  
President of the Senate

Attest:

Patricia K. Dicks  
Secretary of the Senate

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