

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

27<sup>th</sup> Legislative Day Monday, January 31, 2000

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

Prayer By the chaplain, Rabbi Gorden Rubenstein.

Roll Call Present--Total, 32.  
Absent/Excused--Linkhart, Tanner, Wham--Total, 3.  
Present later--Linkhart, Tanner, Wham.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Evans, reading of the Journal of Friday, January 28<sup>th</sup> was dispensed with and the Journal stands approved as corrected by the Secretary.

THIRD READING OF BILLS--FINAL PASSAGE

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

SB 00-047 by Sen. Anderson; Rep. Leyba--Std Screening For Mentally Ill Offenders

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	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	Y	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	E
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 00-012 by Sen. Musgrave--Deregulate Retail Telecom Services

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	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	Y	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	E
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: Chlouber, Feeley, Hernandez, Nichol, Teck, Weddig.

SB00-130 by Sen. Hillman; Rep. Kester--Expansion Of The Credit Insurance Act

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	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	Y	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	E
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-sponsor added: Tebedo.

SB00-080 by Sen. Perlmutter; Rep. Spradley--Unfair Business Practices Protection

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	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	Y	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	E
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: Anderson, Dennis, Dyer.

SB00-053 by Sen. Musgrave; Rep. Mace--Regulation Of School Buses

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	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	Y	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	E
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: Arnold, Congrove, Evans, Hernandez.

SB00-087 by Sen. Epps; Rep. Gotlieb--Under 21 Breath Test Only For Alcohol

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

YES	30	NO	3	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	Y	Perlmutter	Y	Wattenberg	Y
Congrove	N	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	N	Reeves	Y	Wham	E
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivan	Y		

SB 00-087 A majority of all members elected to the Senate having voted in the affirmative, the bill was declared PASSED.  
Co-sponsors added: Arnold, Evans, Hernandez.

Committee of the Whole On motion of Senator Congrove, the Senate resolved itself into Committee of the Whole for consideration of General Orders and Senator Congrove 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 00-086 by Sen. Hillman; Rep. Larson--Withdrawal Of CCIA From Risk Mgmt  
Laid over until Tuesday, February 1, retaining its place on the calendar.

SB 00-025 by Sen. Chlouber--Competitive Telecom Market  
Laid over until Tuesday, February 1, retaining its place on the calendar.

SB 00-095 by Sen. Wattenberg; Rep. George--Access To Eye Care Coverage  
Laid over until Tuesday, February 1, retaining its place on the calendar.

SB 00-096 by Sen. Anderson; Rep. McPherson--Vested Property Rights  
Laid over until Monday, February 7, retaining its place on the calendar.

SB 00-058 by Sen. Dyer; Rep. Hoppe--Private Occ Ed Exempt Programs  
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 Congrove, 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:

SB00-058 was declared passed on Second Reading.  
SB00-086, SB00-025, SB00-095 laid over until Tuesday, February 1, retaining their place on the calendar.  
SB00-096 laid over until Monday, February 7, 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, HB00-1141, SB00-004, HB00-1045, HB00-1031, SB00-051, SB00-098, SB00-043, SB00-022, SB00-183 were made Special Orders at 10:31 a.m.

Committee of the Whole The hour of 10:31 a.m. having arrived, Senator Congrove moved that the Senate resolve itself into Committee of the Whole for consideration of Special Orders and Senator Congrove was called to the Chair to act as Chairman.

**SPECIAL ORDERS--SECOND READING OF BILLS--10:31 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:

HB	00-1141	by Rep. Dean; Senator Blickensderfer--Interim Activities Of GA	1
		<u>Amendment No. 1, State, Veterans, and Military Affairs Committee Amendment</u>	2
		(Printed in Senate Journal, January 28, pages 174-175.)	3
		As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.	4
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SB	00-004	by Sen. Matsunaka--Performance Grant Program For Schools	6
		<u>Amendment No. 1, Education Committee Amendment</u>	7
		(Printed in Senate Journal, January 18, pages 115-117.)	8
		<u>Amendment No. 2, Finance Committee Amendment</u>	9
		(Printed in Senate Journal, January 28, page 175.)	10
		As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	11
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HB	00-1045	by Rep. Larson; Senator Dyer--IGAs With Tribal Governments	13
		Ordered revised and placed on the calendar for Third Reading and Final Passage.	14
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HB	00-1031	by Rep. Kester; Senator Hillman--Joining Pest Districts Without Elections	16
		Ordered revised and placed on the calendar for Third Reading and Final Passage.	17
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SB	00-051	by Sen. Tebedo; Rep. Spradley--Child Care Omnibus	19
		<u>Amendment No. 1, Health, Environment, Welfare and Institutions Amendment</u>	20
		(Printed in Senate Journal, January 28, pages 176-177.)	21
		As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	22
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SB	00-098	by Sen. Sullivant; Rep. Scott--Maintain School Structures And Grounds	24
		<u>Amendment No. 1, Education Committee Amendment</u>	25
		(Printed in Senate Journal, January 24, page 148.)	26
		As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	27
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SB	00-043	by Sen. Chlouber; Rep. Spradley--D & N Trials	29
		<u>Amendment No. 1, Judiciary Committee Amendment</u>	30
		(Printed in Senate Journal, January 12, page 90.)	31
		As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	32
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SB	00-022	by Sen. Tebedo; Rep. Alexander--Inspections Of Child Care Facilities	34
		<u>Amendment No. 1, Health, Environment, Welfare and Institutions Amendment</u>	35
		(Printed in Senate Journal, January 12, pages 90-91.)	36
		<u>Amendment No. 2, Appropriations Committee Amendment</u>	37
		(Printed in Senate Journal, January 28, page 180.)	38
		As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	39
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SB 00-183 by Sen. Feeley; Rep. McPherson--Colorado Institute Of Technology

Laid over until the General Orders Calendar of Tuesday, February 1, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Congrove, 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:

HB00-1045 and HB00-1031 declared passed on Second Reading.  
SB00-04, as amended; SB00-051, as amended; SB00-098, as amended; SB00-043 as amended; SB00-022, as amended; HB00-1141, as amended, declared passed on Second Reading.  
SB00-183 laid over until the General Orders Calendar of Tuesday, February 1, 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 36(c) was suspended for Consideration of Governor’s appointment.

CONSIDERATION OF GOVERNOR’S APPOINTMENT

On motion of Senator Tebedo, the following Governor’s appointment was confirmed by a roll call vote:

MEMBER OF THE  
STATE HOUSING BOARD

for a term expiring January 31, 2003:

William T. Sullivan of Denver, Colorado, to serve as a representative of the First Congressional District and as a Democrat, appointed.

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	Y	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	E
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivant	Y		

INTRODUCTION OF BILL--FIRST READING

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

SB 00-185 By Senators Phillips, Linkhart, Rupert, Reeves, and Teck; also Representative Hagedorn-- Concerning the exclusion of medicaid payments specifically provided for the payment of medicare premiums when determining whether a person qualifies for assistance grants.  
Health, Environment, Welfare & Institutions  
Appropriations

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, January 31, was laid over until Tuesday, February 1, retaining its place on the calendar.

Senate in recess.

Senate reconvened.

SENATE SERVICES REPORT

Senate Services

Correctly revised: HB00-1031, 1045, 1141.

Correctly engrossed: SB00-4, 22, 43, 51, 58, 98.

COMMITTEE OF REFERENCE REPORT

Local Government

After consideration on the merits, the committee recommends that the following be postponed indefinitely: SB00-100

MESSAGE FROM THE HOUSE

January 31, 2000

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB00-1059,1092,1134,1152,1180,1226.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB00-1036, amended as printed in House Journal, January 28, 2000, page 226; HB00-1078, amended as printed in House Journal, January 28, 2000, page 221; HB00-1106, amended as printed in House Journal, January 28, 2000, page 221; HB00-1119, amended as printed in House Journal, January 28, 2000, page 222-225; HB00-1139, amended as printed in House Journal, January 28, 2000, page 225; HB00-1151, amended as printed in House Journal, January 28, 2000, page 222; HB00-1289, amended as printed in House Journal, January 28, 2000, page 227.

INTRODUCTION OF BILL--FIRST READING

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

SB00-186

by Senator Anderson; also Representative Allen--Concerning education reform, and making an appropriation therefor.

EducationAppropriations

TRIBUTES--A POINT OF INTEREST

Honoring Kerry Kerrigan by Senator Arnold

Honoring Ruth Maerpaa by Senator Arnold

Honoring Ray Hawthorne by Senator Arnold

Honoring Craig Cogswell by Senator Arnold

Honoring Mary Ballinger by Senator Reeves

Honoring Esther Clark by Senator Reeves

Honoring Jessiebelle Herbertson by Senator Reeves

Honoring Gail Bratz & Mervyn Jacobson by Senator Reeves

Honoring H. Bruce & Georgia McEver by Senator Reeves

Honoring Pam Simons by Senator Reeves

Honoring Antonio & Mary Race by Senator Reeves

Honoring Debbi Dixon-Dobkins by Senator Reeves

On motion of Senator Owen, the Senate adjourned until 9:00 a.m., Tuesday,  
February 1, 2000.

Approved:

Ray Powers  
President of the Senate

Attest:

Patricia K. Dicks  
Secretary of the Senate

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