

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

63<sup>rd</sup> Legislative DayTuesday, March 7, 2000

- Call to Order
- By the President at 9:00 a.m.
- Prayer
- By the chaplain, Reverend Glen Hamlyn, Rocky Mountain Cathedral, Denver.
- Roll Call
- Present--Total, 28.  
Absent/Excused--Arnold, Hernandez, Hillman, Lacy, Matsunaka, Nichol, Wham--Total, 7.  
Present later--Arnold, Hernandez, Hillman, Lacy, Matsunaka, Nichol, Wham.
- Quorum
- The President announced a quorum present.
- Reading of Journal
- On motion of Senator Sullivant, reading of the Journal of Monday, March 6<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 titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

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

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

YES	28	NO	4	EXCUSED	3	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	N
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	N	Weddig	Y
Dennis	Y	Linkhart	N	Reeves	Y	Wham	E
Dyer	Y	Martinez	Y	Rupert	N	Mr. President	Y
Epps	Y	Matsunaka	E	Sullivant	Y		

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

Co-sponsor added: Powers.

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

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

YES	26	NO	6	EXCUSED	3	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	N	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	N	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	N	Hillman	Y	Pascoe	Y	Thiebaut	Y
Chlouber	N	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	N	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	N	Reeves	Y	Wham	E
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	E	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, Martinez, Phillips, Sullivant, Thiebaut.

HB 00-1172 by Rep. Gordon; Senator Blickensderfer--SIP Review Process

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

Third Reading Amendment No. 1, by Senator Blickensderfer

Amend revised bill, page 6, line 24, strike "MARCH 15," and substitute "MARCH 31,".

Page 7, strike line 3 and substitute the following:

"NO LATER THAN APRIL 10, 2000, AND, AFTER APRIL 10, 2000,";

line 6, strike "MARCH 15," and substitute "MARCH 31,".

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	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	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	E	Sullivan	Y		

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

HB 00-1047 by Rep. Lawrence; Senator Phillips--Wildlife Commission Prop Transactions

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	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	N	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	E	Sullivan	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 00-1058 by Rep. Morrison; Senator Epps--Unprofessional Medical Conduct

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	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	E	Sullivan	Y		

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

Co-sponsor added: Evans.

HB 00-1038 by Rep. Morrison; Senator Epps--More Public Members On Med Examiners Bd

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	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	E	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, Linkhart, Reeves, Rupert.

HB 00-1151 by Rep. Gotlieb; Senator Evans--Licenses For Out-of-state Educators

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	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
Chlouber	Y	Lacy	E	Perlmutter	N	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	E	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, Congrove, Tebedo.

HB 00-1138 by Rep. Leyba; Sen. Linkhart--Ltd Liability Of Foster Care Providers

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	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	E	Sullivan	Y		

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

Co-sponsor added: Wham.

HB 00-1191 by Rep. Clarke; Senator Andrews--Treasury Withholding Judge’s Salary

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	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	E	Sullivan	Y		

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

Co-sponsors added: Epps, Hernandez, Perlmutter, Powers, Sullivan, Tebedo, Wham.

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

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	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	E	Sullivan	Y		

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

Co-sponsors added: Powers, Tebedo.

HB 00-1290 by Rep. Gotlieb; Senator Wattenberg--Extension Of Water Quality Permit Fees

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	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	E	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, Tebedo.

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

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	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	E	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.

HB 00-1324 by Rep. Larson; Sen. Dyer--Intergovt Agrmt So Ute On Air Quality

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	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	E	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, Arnold, Blickensderfer, Congrove, Epps, Feeley, Hernandez, Musgrave, Perlmutter, Reeves, Rupert, Tebedo, Teck, Wham.

HB 00-1325 by Rep. Larson; Sen. Dyer--So Ute & Colo Environmtal Commn

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	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	E	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, Congrove, Feeley, Hernandez, Musgrave, Reeves, Tebedo, Wham.

HB 00-1271 by Rep. Mitchell; Senator Anderson--Divide Special Districts Into Areas

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	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	E	Sullivan	Y		

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

HB 00-1211 by Rep. Hoppe; Sen. Wattenberg--Modify Special Fuel Tax Refund

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	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	E	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, Hernandez, Owen.

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, HB00-1029, HB00-1048, HB00-1283, HB00-1251 were made Special Orders at 9:32 a.m.

Committee of the Whole
The hour of 9:32 a.m. having arrived, Senator Andrews moved that the Senate resolve itself into Committee of the Whole for consideration of Special Orders and Senator Andrews was called to the Chair to act as Chairman.

**SPECIAL ORDERS--SECOND READING OF BILLS--9:32 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 00-1029 by Rep. Tupa; Senator Pascoe--Eligibility For Child Care Assistance

Amendment No. 1, Health, Environment, Welfare and Institutions Amendment  
(Printed in Senate Journal, February 28, page 425.)

Amendment No. 2, by Senator Pascoe

Amend the committee amendment, as printed in Senate Journal, February 28, page 425, strike line 64 and substitute the following:

"Amend reengrossed bill, page 2, line 6, strike "levels of eligibility for both" and substitute "level of eligibility for";

strike line 7 and substitute the following:

"discretionary child care assistance and to work to mitigate the".";

Page 3, line 1, strike "TWO".";

line 66 of the committee amendment, after "LEVEL", insert "FOR ELIGIBILITY FOR SERVICES".

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

HB 00-1048 by Rep. Mitchell; Sen. Arnold--Continue Checkoff For Special Olympics

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

HB 00-1283 by Rep. Sinclair; Sen. Wattenberg--Fire Management

Amendment No. 1, State, Veterans, and Military Affairs Committee Amendment  
(Printed in Senate Journal, March 3, page 475.)

Amendment No. 2, by Senator Wattenberg

Amend reengrossed bill, page 2, line 9, strike "commercially viable".

Page 3, line 7, strike "COMMERCIALLY VIABLE".

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

HB 00-1251 by Rep. Allen; Senator Arnold--Magnet School Planning Board

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 Andrews, 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:

HB00-1048, HB00-1251 declared passed on Second Reading.  
HB00-1029, as amended; HB00-1283, as amended, declared passed on Second Reading.

**MESSAGE FROM THE HOUSE**

March 7, 2000

Mr. President:

The House has adopted the First Report of the First Conference Committee on SB00-183, as printed in House Journal, March 6, page 854, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted and transmits herewith HJR00-1010, as printed in House Journal, March 3, pages 831-832.

**INTRODUCTION AND CONSIDERATION OF RESOLUTION**

The following resolution was read by title and taken upon immediate consideration:

HJR 00-1010 by Rep. Lawrence; Senator Blickensderfer--Concerning commending the Peace Corps on the occasion of its thirty-ninth anniversary.  
(Printed in House Journal, March 3, pages 831-832.)

Senator Blickensderfer moved to suspend Senate Rule 30(e).

A two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(e) was suspended and Immediate Consideration granted.

On motion of Senator Blickensderfer, the Resolution was ADOPTED by the following roll call vote:

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	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	E	Sullivan	Y		

Co-sponsors added: Anderson, Andrews, Arnold, Chlouber, Congrove, Dennis, Dyer, Epps, Evans, Feeley, Hernandez, Hillman, Lamborn, Linkhart, Martinez, Musgrave, Nichol, Owen, Pascoe, Perlmutter, Phillips, Powers, Reeves, Rupert, Sullivan, Tanner, Tebedo, Teck, Thiebaut, Wattenberg, Weddig.

FIRST REPORT OF FIRST CONFERENCE COMMITTEE  
ON SB00-183

\*\*\*\*\*  
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 SB00-183, concerning the role of higher education in the development of technology, and, in connection therewith, encouraging higher education institutions and systems to participate in the development of technology education, innovation, and commerce, 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 changes:

Amend rerevised bill, page 4, strike lines 22 through 25 and substitute the following:

"(I) (A) FIVE PERSONS WHO ARE CHIEF EXECUTIVE OFFICERS, OR A CHIEF EXECUTIVE OFFICER'S DESIGNEE, OF A STATE-SUPPORTED OR NONPUBLIC INSTITUTION OF HIGHER EDUCATION OR THE EXECUTIVE DIRECTOR, OR THE EXECUTIVE DIRECTOR'S DESIGNEE, OF THE COLORADO COMMISSION ON HIGHER EDUCATION OR THE EXECUTIVE DIRECTOR, OR THE EXECUTIVE DIRECTOR'S DESIGNEE, OF THE OFFICE OF INNOVATION AND TECHNOLOGY;

(B) OF THE PERSONS APPOINTED PURSUANT TO THIS SUBPARAGRAPH (I), NOT MORE THAN ONE MEMBER SHALL BE FROM THE COLORADO COMMISSION ON HIGHER EDUCATION AND NOT MORE THAN ONE MEMBER SHALL BE FROM THE OFFICE OF INNOVATION AND TECHNOLOGY;"

Respectfully submitted,

Senate Committee:	House Committee:
(Signed)	(Signed)
Sen. Ron Teck	Rep. Gary L. McPherson
Sen. Ken Arnold	Rep. Bob Bacon
	Rep. Debbie Allen

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 Conference Committee Report on SB00-183.



CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SB 00-183 by Sen. Feeley; Rep. McPherson--Colorado Institute Of Technology

Senator Feeley moved for the adoption of the First Report of the First Conference Committee on SB00-183, printed in Senate Journal, March 7, page 532. 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	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	E	Sullivan	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	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	E	Sullivan	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: Blickensderfer, Phillips.

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, March 7, was laid over until Wednesday, March 8, retaining its place on the calendar.

Senate in recess.

Senate reconvened.

SENATE SERVICES REPORT

Senate  
Services

Correctly enrolled: SB 00-183.

Correctly enrolled: SB00-017, 033.

SENATE SERVICES REPORT

Senate  
Services

To the Governor for signature on Tuesday, March 7, 2000, at 1:10 pm:  
SB 00-183.

Correctly revised: HB 00-1029, 1048, 1251, 1283;  
HJR 00-1001, 1002, 1003, 1010.

COMMITTEE OF REFERENCE REPORTS

Business  
Affairs  
and Labor

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: HB00-1180

Business  
Affairs  
and Labor

After consideration on the merits, the committee recommends that HB00-1258 be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 5, line 3, strike "~~12-2-109-(1)~~" and substitute "12-2-109 (1)";

strike line 4 and substitute the following:

"(b) and (1) (c) or who meets the further requirements of section 12-2-109";

strike lines 24 through 26.

Page 6, strike lines 1 through 5.

Renumber succeeding sections accordingly.

Page 8, line 23, strike "EACH APPLICANT OR HOLDER OF A PERMIT" and substitute "THE PARTNER, SHAREHOLDER, OR MEMBER DESIGNATED BY THE FIRM".

Page 11, strike lines 10 and 11 and substitute the following:

"amended to read:";

strike lines 25 and 26.

Page 12, strike lines 1 through 8.

Page 13, after line 26, insert the following:

**"SECTION 10.** 13-90-107 (1) (f), Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBPARAGRAPHS to read:

**13-90-107. Who may not testify without consent.** (1) There are particular relations in which it is the policy of the law to encourage confidence and to preserve it inviolate; therefore, a person shall not be examined as a witness in the following cases:

(f) (III) SUBPARAGRAPH (I) OF THIS PARAGRAPH (f) SHALL NOT APPLY TO A SUBPOENA ISSUED BY THE STATE BOARD OF ACCOUNTANCY, IF THE BOOKS OF ACCOUNT, FINANCIAL RECORDS, ADVICE, REPORTS, OR WORKING PAPERS REQUESTED IN THE SUBPOENA RELATED TO INDEPENDENT AUDITOR SERVICES. THE BOARD SHALL MAINTAIN THE CONFIDENTIALITY OF ALL BOOKS OF ACCOUNT, FINANCIAL RECORDS, ADVICE, REPORTS, OR WORKING PAPERS SUBPOENAED PURSUANT TO THIS SUBPARAGRAPH (III).

(IV) DISCLOSURE OF DOCUMENTS, TESTIMONY, OR THINGS UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH (f) SHALL NOT WAIVE OR OTHERWISE LIMIT THE CONFIDENTIALITY OR PRIVILEGE OF DOCUMENTS, TESTIMONY, OR THINGS SUBPOENAED. A CERTIFIED PUBLIC ACCOUNTANT, CERTIFIED PUBLIC ACCOUNTING FIRM, OR THE STATE BOARD OF ACCOUNTANCY ARE NOT RELIEVED OF ANY OBLIGATION OF CONFIDENTIALITY FOR DISCLOSURE OF INFORMATION UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH (f).".

Renumber succeeding sections accordingly.

Business  
Affairs  
and Labor

After consideration on the merits, the committee recommends that HB00-1185 be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 35, strike lines 1 and 2 and substitute the following:

"(4) THIS SECTION DOES NOT LIMIT OR RESTRICT THE MANNER";

strike lines 6 through 12 and substitute the following:

"PERMITTED BY THIS SECTION. IF THE CONSUMER CREDIT TRANSACTION IS PRECOMPUTED:";

line 13, strike "(I)" and substitute "(a)";

line 16, strike "(II)" and substitute "(b)".

Page 66, line 3, strike "MAKE" and substitute "TAKE".

Page 68, line 18, after the period, add "IN ADDITION TO ANY OTHER DISCLOSURES REQUIRED BY THIS CODE, A CREDITOR SHALL DISCLOSE TO THE CONSUMER THE AMOUNT OF ANY PREPAID FINANCE CHARGES. A DISCLOSURE THAT COMPLIES WITH THE FEDERAL "REAL ESTATE SETTLEMENT PROCEDURES ACT OF 1974", 12 U.S.C. SEC. 2601 ET SEQ., AND REGULATIONS THEREUNDER, SHALL SATISFY THE REQUIREMENT TO DISCLOSE THE AMOUNT OF THE PREPAID FINANCE CHARGES.".

Page 80, line 21, after "**prohibited.**", insert "(1)";

strike lines 24 and 25 and substitute the following:

"BASIS OF:

(a) DISCRIMINATION, SOLELY BECAUSE OF RACE, CREED, RELIGION, COLOR, SEX, MARITAL STATUS, NATIONAL ORIGIN, OR ANCESTRY; OR

(b) THE TYPE OF LAWFUL BUSINESS THAT A PARTY TO THE TRANSACTION IS ENGAGED IN.

(2) THIS".

Page 148, after line 8, insert the following:

**"SECTION 5.** 1-1-104 (48), Colorado Revised Statutes, is amended to read:

**1-1-104. Definitions.** As used in this code, unless the context otherwise requires:

(48) "Taxable property" means real or personal property subject to general ad valorem taxes. For all elections and petitions ~~which~~ THAT require ownership of real property or land, ownership of a mobile home or manufactured home, as defined in ~~section 5-1-301 (9.7)~~ SECTION 5-1-301 (29), 38-12-201.5 (2), or 42-1-102 (106) (b), C.R.S., is sufficient to qualify as ownership of real property or land for the purpose of voting rights and petitions.

**SECTION 6.** 5-10-202 (1) (a), (1) (b), (1) (c), (1) (f), and (1) (g), Colorado Revised Statutes, are amended to read:

**5-10-202. Exclusions.** (1) This article shall not apply to, and an agreement ~~which~~ THAT complies with this article is not governed by the provision relating to:

(a) A "consumer credit sale" as that term is defined in ~~section 5-2-104~~ SECTION 5-1-301 (11);

(b) A "consumer lease" as that term is defined in ~~section 5-2-106~~ SECTION 5-1-301 (14);

(c) A "consumer loan" as that term is defined in ~~section 5-3-104~~

SECTION 5-1-301 (15);

(f) A "home solicitation sale" as that term is defined in ~~section 5-2-501~~ SECTION 5-3-401;

(g) A "sale of goods" as that term is defined in ~~section 5-2-105 (4)~~ SECTION 5-1-301 (39);

**SECTION 7.** 5-10-801 (1) (b) and (1) (e), Colorado Revised Statutes, are amended to read:

**5-10-801. Administrator responsibility.** (1) The administrator shall enforce this article. To carry out this responsibility, the administrator shall be authorized to:

(b) Issue and enforce cease and desist or other administrative enforcement orders in the same manner as set forth in ~~section 5-6-108~~ SECTION 5-6-109;

(e) Bring a civil action to restrain a person from violating this article and for other appropriate relief in the same manner as set forth in ~~sections 5-6-110 to 5-6-113~~ SECTIONS 5-6-111 TO 5-6-114; and

**SECTION 8.** 6-1-302 (1) (e) and (1) (f), Colorado Revised Statutes, are amended to read:

**6-1-302. Definitions.** As used in this part 3, unless the context otherwise requires:

(1) "Commercial telephone seller" or "seller" means a person who, in the course of such person's business, vocation, or occupation, on the person's own behalf or on behalf of another person, causes or attempts to cause a commercial telephone solicitation to be made; except that "commercial telephone seller" or "seller" does not include the following:

(e) A supervised financial organization, as defined in ~~section 5-1-301 (17)~~ SECTION 5-1-301 (45), C.R.S., and its employees, when acting within the scope of their employment;

(f) A supervised lender, as defined in ~~section 5-3-501 (2)~~ SECTION 5-1-301 (46), C.R.S., and its employees, when acting within the scope of their employment;

**SECTION 9.** 6-1-708 (1) (a), Colorado Revised Statutes, is amended to read:

**6-1-708. Motor vehicle sales - deceptive trade practices.** (1) A person engages in a deceptive trade practice when, in the course of such person's business, vocation, or occupation, such person:

(a) Commits any of the following acts pertaining to the sale of a motor vehicle or a used motor vehicle:

(I) Guarantees to a purchaser of a motor vehicle or used motor vehicle who conditions such purchase on the approval of a consumer credit sale as defined in ~~section 5-2-104~~ SECTION 5-1-301 (11), C.R.S., or a consumer loan as defined in ~~section 5-3-104~~ SECTION 5-1-301 (15), C.R.S., that such purchaser has been approved for either a consumer credit sale or a consumer loan if such approval is not final. For purposes of this subparagraph (I), "guarantee" means a written document or oral representation between the purchaser and the person selling the vehicle that leads such purchaser to a reasonable good faith belief that the financing of such vehicle is certain.

(II) Accepts a used motor vehicle as a trade-in on the purchase of a motor vehicle or used motor vehicle and sells such used motor vehicle before the purchaser has been approved for a consumer credit sale as defined in ~~section 5-2-104~~ SECTION 5-1-301 (11), C.R.S., or a consumer loan as defined in ~~section 5-3-104~~ SECTION 5-1-301 (15), C.R.S., if such approval is a condition of the purchase;

(III) Fails to return to the purchaser any collateral or down

payment tendered by such purchaser conditioned upon a guarantee by a motor vehicle or used motor vehicle dealer that a consumer credit sale as defined in ~~section 5-2-104~~ SECTION 5-1-301 (11), C.R.S., or a consumer loan as defined in ~~section 5-3-104~~ SECTION 5-1-301 (15), C.R.S., has been approved for such purchaser, if such approval was a condition of the sale and if such financing is not approved and the purchaser is required to return the vehicle;

**SECTION 10.** 11-6.5-105 (1), Colorado Revised Statutes, is amended to read:

**11-6.5-105. Conditions for retailers.** (1) Notwithstanding the provisions of section 11-6.5-104, any agreement between a person owning or establishing a communications facility or utilizing a communications facility owned by another and the retailer at whose retail location the facility is operated shall be upon such commercially reasonable terms and conditions as the parties may agree. The parties to such agreement shall not discriminate in price with the intent to destroy or prevent competition in the offering of banking transactions through communications facilities, after making allowance for the differences, if any, in costs. A retailer at whose retail location one or more communications facilities are operated may limit by contract the types of banking transactions performed at each such facility, but, subject to the exceptions in this subsection (1), all such banking transactions, including those involving account overlines, ~~which~~ THAT are performed at each such communications facility shall be made available upon request to all Colorado banks. Banking transactions, other than account overline transactions, that involve a seller or lender credit card or similar arrangement as defined in ~~section 5-1-301 (9) and (16)~~ SECTION 5-1-301 (24) AND (43), C.R.S., are excepted from the availability requirement of this subsection (1).

**SECTION 11.** 11-38-105 (3), Colorado Revised Statutes, is amended to read:

**11-38-105. Interest - periodic advances.** (3) The interest rate contracted for in any reverse mortgage shall not exceed the loan finance charge rates provided by ~~section 5-3-508~~ SECTION 5-2-201, C.R.S., although the effective rate may exceed those rates. Such interest rate shall be calculated on the assumption that the reverse mortgage will be repaid according to the agreed terms and will not be repaid before the end of the agreed term.

**SECTION 12.** 11-38-108 (1) (b), Colorado Revised Statutes, is amended to read:

**11-38-108. Inapplicability of related statutes.** (1) A reverse mortgage may be made or acquired without regard to the following provisions for other types of mortgage transactions set out in the statutes specified in this subsection (1):

(b) Prohibitions on balloon payments pursuant to ~~section 5-3-402~~ SECTION 5-3-208, C.R.S.;

**SECTION 13.** 13-80-101 (1) (g), Colorado Revised Statutes, is amended to read:

**13-80-101. General limitation of actions - three years.** (1) The following civil actions, regardless of the theory upon which suit is brought, or against whom suit is brought, shall be commenced within three years after the cause of action accrues, and not thereafter:

(g) All claims under the "Uniform Consumer Credit Code", except ~~section 5-5-202 (6)~~ SECTION 5-5-201 (5), C.R.S.;

**SECTION 14.** 18-15-101 (6) (b), Colorado Revised Statutes, is amended to read:

**18-15-101. Definitions.** As used in this article, unless the context otherwise requires:

(6) (b) The term does not include the charges as a result of

additional charges as defined in section 5-2-202, ~~or 5-3-202~~, C.R.S., delinquency charges as defined in section 5-2-203, ~~or 5-3-203~~, C.R.S., deferral charges as defined in section 5-2-204, ~~or 5-3-204~~, C.R.S., similar charges specifically authorized by law, or additional interest charges permitted by section 5-12-107 (3), C.R.S.

**SECTION 15.** 18-15-109 (1) (b), (1) (c) (I), and (1) (c) (II), Colorado Revised Statutes, are amended to read:

**18-15-109. Loan finder - definitions - prohibited fees.** (1) As used in this section, unless the context otherwise requires:

(b) "Loan" has the same meaning as set forth in ~~section 5-3-106~~ SECTION 5-1-301 (25), C.R.S.

(c) "Loan finder" means any person who, directly or indirectly, serves or offers to serve as a lender or as an agent to obtain a loan or who holds himself OR HERSELF out as capable of obtaining a loan for any person; except that the following persons shall be exempt from the provisions of this section:

(I) A supervised financial organization, as defined in ~~section 5-1-301 (17)~~ SECTION 5-1-301 (45), C.R.S., and its employees, when acting within the scope of their employment;

(II) A person duly licensed to make supervised loans pursuant to ~~part 5 of article 3~~ PART 3 OF ARTICLE 2 of title 5, C.R.S.;

**SECTION 16.** 24-72-204 (3.5) (c) (VI), Colorado Revised Statutes, is amended to read:

**24-72-204. Allowance or denial of inspection - grounds - procedure - appeal.** (3.5) (c) The custodian of any records described in paragraph (a) of this subsection (3.5) ~~which~~ THAT concern an individual who has made a request of confidentiality pursuant to this subsection (3.5) and paid any required processing fee shall deny the right of inspection of the individual's address contained in such records on the ground that disclosure would be contrary to the public interest; except that such custodian shall allow the inspection of such records by such individual, by any person authorized in writing by such individual, and by any individual employed by one of the following entities who makes a request to the custodian to inspect such records and who provides evidence satisfactory to the custodian that the inspection is reasonably related to the authorized purpose of the employing entity:

(VI) A supervised lender licensed pursuant to ~~section 5-3-503~~ SECTION 5-1-301 (46), C.R.S.;

**SECTION 17.** 35-33-304 (3), Colorado Revised Statutes, is amended to read:

**35-33-304. Limitations on contract - delivery.** (3) No contract shall contain any provision whereby the buyer agrees to waive any warranties, rights, or defenses he OR SHE may have under article 2 of title 4, C.R.S., or ~~article 2~~ THE "UNIFORM CONSUMER CREDIT CODE", ARTICLES 1 TO 9 of title 5, C.R.S.

**SECTION 18.** The introductory portion to 38-39-102 (3.5) (b) (IV) and 38-39-102 (3.5) (b) (V), Colorado Revised Statutes, are amended to read:

**38-39-102. When liens of deeds of trust shall be released.** (3.5) (b) Only the following financial institutions shall be entitled to submit a certification pursuant to paragraph (a) of this subsection (3.5):

(IV) A supervised lender, as defined in ~~section 5-3-501 (2)~~ SECTION 5-1-301 (46), C.R.S., that is licensed to make supervised loans pursuant to ~~section 5-3-503~~ SECTION 5-2-302, C.R.S., and that is either:

(V) An entity in which all of the outstanding voting securities are held, directly or indirectly, by a public entity also owning, directly or indirectly, all of the voting securities of a supervised lender, as defined

in ~~section 5-3-501 (2)~~ SECTION 5-1-301 (46), C.R.S., that is licensed to make supervised loans pursuant to ~~section 5-3-503~~ SECTION 5-2-302, C.R.S.;

**SECTION 19.** 38-40-101 (6), Colorado Revised Statutes, is amended to read:

**38-40-101. Mortgage broker fees - escrow accounts - unlawful act - penalty.** (6) As used in this section, unless the context otherwise requires, "mortgage broker" means a person, firm, partnership, association, or corporation, other than a bank, trust company, savings and loan association, credit union, supervised lender as defined in ~~section 5-3-501 (2)~~ SECTION 5-1-301 (46), C.R.S., insurance company, federal housing administration approved mortgagee, land mortgagee, or farm loan association or duly appointed loan correspondents, acting through officers, partners, or regular salaried employees for any such entity, that engages in negotiating or offering or attempting to negotiate for a borrower, and for commission, money, or other thing of value, a loan to be consummated and funded by someone other than the one acting for the borrower.

**SECTION 20.** 38-40-102 (4), Colorado Revised Statutes, is amended to read:

**38-40-102. Disclosure of costs - statement of terms of indebtedness.** (4) The provisions of this section shall not apply to a loan to be made by a bank, trust company, savings and loan association, credit union, federal housing administration approved mortgagee, or supervised lender as defined in ~~section 5-3-501 (2)~~ SECTION 5-1-301 (46), C.R.S., ~~which~~ THAT will be secured by a mortgage or deed of trust other than a first mortgage or deed of trust having priority as a lien on the real property over any other mortgage or deed of trust."

Renumber succeeding sections accordingly.

Business  
Affairs  
and Labor

After consideration on the merits, the committee recommends that SB00-174 be amended as follows and, as so amended, be referred to the Committee on Appropriations with favorable recommendation:

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

**"SECTION 1.** The introductory portion to 8-55-101 (1), Colorado Revised Statutes, is amended to read:

**8-55-101. Workers' compensation classification appeals board - creation.** (1) There is hereby created, in the division of insurance in the department of regulatory agencies, the workers' compensation classification appeals board. The board shall hear grievances brought by employers against insurers and the Colorado compensation insurance authority concerning the ~~calculation~~ DETERMINATION of AN experience modification ~~factors~~ FACTOR and classification assignment decisions. The board shall consist of five voting members, each of whom shall be knowledgeable about workers' compensation classification and experience modification factors, and one nonvoting member, as follows:

**SECTION 2.** Part 1 of article 44 of title 8, Colorado Revised Statutes, is amended BY THE ADDITION THE FOLLOWING NEW SECTIONS to read:

**8-44-116. Task force to evaluate experience modification factors.** (1) THE COMMISSIONER OF INSURANCE SHALL CONVENE A TASK FORCE TO EVALUATE THE EFFECTIVENESS OF THE EXPERIENCE MODIFICATION FACTORS. THE MEMBERS OF THE TASK FORCE SHALL INCLUDE FIVE MEMBERS FROM THE INSURANCE INDUSTRY WHO HAVE EXPERTISE IN WORKERS' COMPENSATION INSURANCE AND FIVE MEMBERS THAT REPRESENT EMPLOYERS WHOSE INSURANCE RATES ARE CALCULATED USING EXPERIENCE MODIFICATION FACTORS. A REPRESENTATIVE FROM A RATING ORGANIZATION SHALL SERVE AS AN EX OFFICIO MEMBER.

(2) THE TASK FORCE EVALUATION OF EXPERIENCE RATE MODIFICATION FACTORS SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING ELEMENTS:

(a) SIMPLIFICATION OF COMPUTING THE EXPERIENCE MODIFICATION FACTORS;

(b) THE DEGREE OF SOCIALIZATION OF COSTS THAT OCCURS WITH THE CURRENT COMPUTATION FOR THE EXPERIENCE MODIFICATION FACTORS;

(c) THE EQUITY OF THE USE OF THE CURRENT MODIFICATION FACTORS AS APPLIED TO LARGE EMPLOYERS AS OPPOSED TO SMALL EMPLOYERS; AND

(d) THE APPROPRIATENESS OF INCLUDING OTHER ELEMENTS USED IN THE CALCULATION OF THE EXPERIENCE MODIFICATION FACTORS, INCLUDING, BUT NOT LIMITED TO:

(I) PREEXISTING INJURIES; AND

(II) MISTAKES IN THE CALCULATION OF CLAIMS.

(3) THE TASK FORCE SHALL REPORT ITS FINDINGS TO THE COMMISSIONER OF INSURANCE NO LATER THAN NOVEMBER 15, 2000. THE COMMISSIONER SHALL REQUEST VOLUNTEER PARTICIPATION BY AND FINANCIAL SUPPORT FROM PRIVATE SECTOR ORGANIZATIONS IN ORDER TO COMPLETE THE REPORT BY THE TASK FORCE. THE TASK FORCE SHALL BE FUNDED THROUGH DONATIONS, GRANTS, AND GIFTS FROM PRIVATE SECTOR ORGANIZATIONS. PRIVATE MONEYS MAY BE RECEIVED AND EXPENDED FOR PURPOSES OF THE TASK FORCE PURSUANT TO THIS SECTION.

**8-44-117. Employer safety rating.** FOR THE PURPOSES OF BIDS FOR A CONTRACT, EXPERIENCE MODIFICATION FACTORS MAY BE USED TO DETERMINE THE RELATIVE SAFETY OF AN EMPLOYER WHEN THE EMPLOYER IS COMPARED TO EMPLOYERS WHO PAY APPROXIMATELY THE SAME PREMIUM AND WHO ARE WITHIN THE SAME INDUSTRY.

**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.

**SECTION 4. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Page 1, line 103, strike "GRANTING AUTHORITY TO THE COMMISSIONER OF";

strike line 104;

line 105, strike "MODIFICATION FACTORS AND THE PROHIBITION ON" and substitute "REGULATING".

Judiciary

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: HB00-1240

Judiciary

After consideration on the merits, the committee recommends that HB00-1235 be amended as follows and, as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend reengrossed bill, page 2, line 7, strike "FINGERPRINTS." and substitute "FINGERPRINTS, EXCEPT FOR JUVENILE DETENTION CENTERS AND ALTERNATIVE SERVICE PROGRAMS, OTHERWISE KNOWN AS "SB 91-94 PROGRAMS", DESCRIBED IN SECTION 19-2-302, C.R.S.";

line 14, line strike "FINGERPRINTING." and substitute "FINGERPRINTING,



EXCEPT FOR JUVENILE DETENTION CENTERS AND ALTERNATIVE SERVICE PROGRAMS, OTHERWISE KNOWN AS "SB 91-94 PROGRAMS", DESCRIBED IN SECTION 19-2-302, C.R.S."

Appropriations

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: HB00-1164

MESSAGE FROM THE HOUSE

March 7, 2000

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB00-029, amended as printed in House Journal, March 3, pages 814-815.

MESSAGE FROM THE REVISOR

March 7, 2000

We herewith transmit:

without comment, as amended, SB00-029.

INTRODUCTION OF BILLS

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

- SB 00-202 by Senator Hillman; also Representative McElhany--Concerning payment of taxes to the division of insurance by an attorney-in-fact acting for the subscribers of interinsurance exchanges.  
Business Affairs & Labor
- SB 00-203 by Senator Powers; also Representative George--Concerning the performance of utility relocation work in conjunction with design-build transportation projects.  
Transportation

MESSAGE FROM THE GOVERNOR

Appointment

A letter of designation and appointment from Governor Owens was read and assigned to Committee as follows:

February 18, 2000

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint, and submit to your

consideration, the following:

AIR QUALITY  
CONTROL COMMISSION

for terms expiring January 31, 2003:

- Marian I. Smith of Glenwood Springs, Colorado, to serve as a member with industrial training and as an Unaffiliated, appointed;
- Michael J. Mueller of Littleton, Colorado, to serve as a member with technical experience and as a Democrat, reappointed;
- Douglas R. Lawson of Littleton, Colorado, to serve as a member with scientific experience and as a Republican, reappointed.

Sincerely,  
(Signed)  
Bill Owens  
Governor  
Rec'd 2/28/00  
P. Dicks, Secretary

Committee on Health, Environment, Welfare and Institutions

**SIGNING OF BILLS**

- The President has signed: SB 00-183
- The President has signed: SB00-017, 033.

**TRIBUTES--A POINT OF INTEREST**

- Honoring Ruth Dale McMickell Duncan Middleton by Senator Thiebaut
- Honoring Andrew Wilkins of Crowley County High School by Senator Hillman
- Honoring Leister Bowling of Lyons High School by Senator Hillman
- Honoring Jeff Rusher of Wray High School by Senator Hillman and Senator Musgrave
- Honoring Brady Walter of Wiggins High School by Senator Hillman and Senator Musgrave
- Honoring B. J. Stivers of Akron High School by Senator Hillman and Senator Musgrave
- Honoring Kyle Witzel of Stratton High School by Senator Hillman
- Honoring Travis LeFever of Wiggins High School by Senator Hillman and Senator Musgrave
- Honoring Matt Krom of Strasburg High School by Senator Hillman and Senator Evans
- Honoring Bobby Gollihar of Walsh High School by Senator Hillman
- Honoring Jose Fuentes of Rocky Ford High School by Senator Hillman
- Honoring Derek Salazar of Roosevelt High School by Senator Hillman and Senator Musgrave

Honoring Luke Mahoney of Platte Valley High School by Senator Hillman  
and Senator Musgrave

Honoring Alan Palmer of Lamar High School by Senator Hillman

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On motion of Senator Reeves, the Senate adjourned until 9:00 a.m., Wednesday,  
March 8, 2000.

Approved:

Ray Powers  
President of the Senate

Attest:

Patricia K. Dicks  
Secretary of the Senate

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