

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

73<sup>rd</sup> Legislative Day Friday, March 17, 2000

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

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

Roll Call Present--Total, 32.  
Absent/Excused--Andrews, Blickensderfer, Rupert--Total, 3.  
Present later--Blickensderfer, Rupert.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Teck, reading of the Journal of Thursday, March 16<sup>th</sup> was dispensed with and the Journal stands approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Services Correctly engrossed: SJR 00-008.  
Correctly enrolled: SJR 00-008.

SIGNING OF BILLS

The President has signed: SJR 00-008.

THIRD READING OF BILL--FINAL PASSAGE

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

HB 00-1309 by Rep. Mitchell; Senator Teck--Junk Email Law

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

YES	28	NO	6	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	N	Musgrave	N	Tanner	Y
Andrews	E	Feeley	Y	Nichol	Y	Tebedo	N
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	N	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: Hernandez.

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, HB00-1276 was made Special Orders at 9:12 a.m.

Committee of the Whole
The hour of 9:12 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 BILL--9:12 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 00-1276 by Rep. Dean; Senator Owen--CSOBA Records Confidentiality

Amendment No. 1, State, Veterans, and Military Affairs Committee Amendment (Printed in Senate Journal, March 16, page 646.)

Amendment No. 2, by Senator Owen

Amend the committee amendment, as printed in Senate Journal, March 16, page 646, line 58, strike "6;" and substitute "6.".
strike lines 59 through 68.

As amended, 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 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:

HB00-1276, as amended, declared passed on Second Reading.

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:

HB 00-1080 by Rep. Kaufman; Senator Dyer--Vol Firefighter Pension Investments

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

HB 00-1024 by Rep. Mace; Senator Musgrave--Prove Insurance For Vehicle Registration

Amendment No. 1, Transportation Committee Amendment (Printed in Senate Journal, March 10, page 581.)

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

HB 00-1212 by Rep. Hoppe; Senator Dennis--Colorado Beef Council Authority

Amendment No. 1, Agriculture, Natural Resources and Energy Committee Amendment  
(Printed in Senate Journal, March 10, page 584.)

Amendment No. 2, by Senator Dennis

Amend the committee amendment, as printed in Senate Journal, March 10, page 584, line 46, strike "SUBPARAGRAPHS (I) AND (II) OF";

after line 61 insert the following :

"Page 3, strike lines 12 through 26 and substitute the following:

**"SECTION 5. Repeal.** 35-57-119, Colorado Revised Statutes, is repealed as follows:

**35-57-119. Refunds.** (1) Any person who has paid a contribution at the time of brand inspection as required by section 35-57-117 shall be entitled to a prompt refund of such contribution from the board. Claim for refund shall be made to the Colorado beef board within ten days from the date of the brand inspection on a form furnished by the Colorado beef board.

(2) Notwithstanding any other laws to the contrary, and to carry out the intent of this section to ensure immediate refund, the board, except as provided by subsection (3) of this section, is authorized to promptly process claims for refund and shall make such refunds without the necessity of verification of payment by the applicant. The refund shall be based only on the signed statement of the refund claim and other information as is contained thereon unless other information or verification is required by subsection (3) of this section.

(3) The board, before processing and making a refund, may require any additional information or verification it deems necessary to determine the validity of the claim for refund. All persons who forward claims for refund shall keep pertinent records for a period of at least three years, which shall be available for audit by the board. The board may file an action to recover from any person a refund of contributions illegally obtained.

(4) Claim for refund shall be signed by the person who paid the contribution. Any person who files a fraudulent or false claim for refund, or who by any false pretenses obtains or attempts to obtain a refund not legally due such person, or who signs a refund claim in the name of and for another person commits theft, as defined in section 18-4-401, C.R.S., and shall be punished accordingly."

Page 4, strike lines 1 through 6."."

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

HB 00-1108 by Rep. Ragsdale; Sen. Evans--Foster Care & Adoption Of Siblings

Amendment No. 1, Judiciary Committee Amendment  
(Printed in Senate Journal, February 29, pages 451-452.)

Amendment No. 2, by Senator Evans

Amend the committee amendment, as printed in Senate Journal, February 29, page 451, strike lines 37 through 42 and substitute the following:

""SIBLING GROUP."";

strike lines 53 through 58 and substitute the following:

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""AVAILABLE FOR ADOPTION.".";

line 60, change the period to a semicolon;

after line 60, insert the following:

"Page 10, strike lines 23 and 24;

line 25, strike "MADE TO LOCATE A JOINT PLACEMENT FOR THOSE SIBLINGS.".";

strike lines 64 through 72 and substitute the following:

""THE BEST INTERESTS OF EACH CHILD.".".

Page 452, strike lines 1 through 3.

Amendment No. 3, by Senator Evans

Amend reengrossed bill, page 7, after line 1, insert the following:

"(III) IN ANY PROCEEDING UNDER THIS ARTICLE INVOLVING A SIBLING GROUP, THE JUDGE SHALL REVIEW THE FAMILY SERVICES PLAN DOCUMENT REGARDING PLACEMENT OF SIBLINGS.".

Page 8, line 1, after "TOGETHER.", insert "THE JUDGE SHALL REVIEW THE FAMILY SERVICES PLAN DOCUMENT REGARDING PLACEMENT OF SIBLINGS.".

Page 12, line 16, after the period, add "THE JUDGE SHALL REVIEW THE FAMILY SERVICES PLAN DOCUMENT REGARDING PLACEMENT OF SIBLINGS.".

Amendment No. 4, by Senator Evans

Amend the committee amendment, as printed in Senate Journal, February 29, page 451, strike lines 30 through 35 and substitute the following:

"Amend reengrossed bill, page 5, strike lines 23 through 26 and substitute the following:";

strike lines 46 through 49;

line 51, before "strike", insert "Page 9,".

Page 452, after line 3, insert the following:

"Page 13, line 5, after "CAPACITY", insert "FOR THE NUMBER OF CHILDREN AND FOR SQUARE FOOTAGE REQUIREMENTS"."

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

HB 00-1216 by Rep. Lawrence; Senator Arnold--Criminal Procedural Laws

Re-referred to the Judiciary Committee.

SB 00-164 by Sen. Lamborn; Rep. McElhany--CSOBA

Laid over until Monday, March 20, retaining its place on the calendar.

HB 00-1095 by Rep. Berry; Senator Blickensderfer--Municipal Elections Revisions

Laid over until Monday, March 20, retaining its place on the calendar.

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

Laid over until Monday, March 20, retaining its place on the calendar.

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

Amendment No. 1, Business Affairs and Labor Committee Amendment  
(Printed in Senate Journal, March 7, pages 535-539, except for that portion on page 535, lines 29 through 42 declared LOST on Second Reading.)

Amendment No. 2, by Senator Teck

Amend reengrossed bill, page 111, after line 19, insert the following:

"(8) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (8), SECTIONS 12-14-104 THROUGH 12-14-111, C.R.S., OF THE "COLORADO FAIR DEBT COLLECTIONS PRACTICES ACT" SHALL APPLY TO THE COLLECTION OF A DEBT ARISING OUT OF A CONSUMER CREDIT TRANSACTION.

(b) SECTION 12-14-109 AND 12-14-105 (3) (c), C.R.S., SHALL NOT APPLY TO THE COLLECTION OF A DEBT ARISING OUT OF A CONSUMER CREDIT TRANSACTION."

Amendment No. 3, by Senator Thiebaut

Amend reengrossed bill, page 36, after line 21, insert the following:

"(9) THE FINANCE CHARGE OBTAINED FROM REVOLVING LOAN CREDIT RESULTING FROM THE PURCHASE OF GOODS OR SERVICES MAY NOT EXCEED EIGHTEEN PERCENT PER YEAR ON THE UNPAID BALANCE, CALCULATED ACCORDING TO THE ACTUARIAL METHOD, UNLESS THE CREDITOR PROVIDES THE CONSUMER THE PRIVILEGE OF PAYING ALL CHARGES FOR THE PURCHASE OF THE GOODS OR SERVICES, WITHOUT A FINANCE CHARGE, WITHIN TWENTY-FIVE DAYS AFTER THE DATE OF THE STATEMENT FIRST REFLECTING THE CHARGES. THE CREDITOR MAY CONDITION THIS PRIVILEGE UPON THE CONSUMER'S PAYMENT OF THE FULL BALANCE DUE AS SHOWN ON THE STATEMENT WITHIN THE TWENTY-FIVE DAY PERIOD."

Amendment No. 4, by Senator Thiebaut

Amend reengrossed bill, page 37, line 15, strike "TWENTY-FIVE" and substitute "TWENTY".

Amendment No. 5, by Senator Matsunaka

Amend reengrossed bill, page 36, strike lines 12 through 17 and substitute the following:

"(7) (a) NOTWITHSTANDING THE PROVISIONS OF SUBSECTIONS (1), (2), AND (3) OF THIS SECTION, THE CREDITOR, IN CONNECTION WITH A CONSUMER CREDIT TRANSACTION OTHER THAN ONE PURSUANT TO A REVOLVING CREDIT ACCOUNT, INCLUDING A DEFERRED DEPOSIT LOAN, MAY CONTRACT FOR AND RECEIVE A MINIMUM LOAN FINANCE CHARGE OF NOT MORE THAN TWENTY-FIVE DOLLARS.

(b) THIS VERSION OF SUBSECTION (7) OF THIS SECTION SHALL BE EFFECTIVE IF SENATE BILL 00-144 IS NOT ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SECOND GENERAL ASSEMBLY.

(7) (a) NOTWITHSTANDING THE PROVISIONS OF SUBSECTIONS (1), (2), AND (3) OF THIS SECTION AND EXCEPT AS PROVIDED IN SECTION 5-3.1-105, THE CREDITOR, IN CONNECTION WITH A CONSUMER CREDIT TRANSACTION OTHER THAN ONE PURSUANT TO A REVOLVING CREDIT ACCOUNT, MAY CONTRACT FOR AND RECEIVE A MINIMUM LOAN FINANCE CHARGE OF NOT MORE THAN TWENTY-FIVE DOLLARS.

(b) THIS VERSION OF SUBSECTION (7) OF THIS SECTION SHALL BE EFFECTIVE IF SECTION 5-3.1-105, CONTAINED IN SENATE BILL 00-144, IS ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SECOND GENERAL ASSEMBLY AND BECOMES LAW."

As amended, laid over until Monday, March 20, retaining its place on the calendar.

The following bills on the General Orders calendar laid over until Monday, March 20, retaining their place on the calendar:

HB00-1326, SB00-201, HB00-1148, HB00-1304, HB00-1264, HB00-1114, HB00-1127, HB00-1222, HB00-1314, HB00-1119, HB00-1078, HB00-1416, HB00-1202, HB00-1207, HB00-1186, SB00-193, HB00-1260, HB00-1300, HB00-1277.

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:

HB00-1080 declared passed on Second Reading.  
HB00-1024, as amended; HB00-1212, as amended; HB00-1108, as amended, declared passed on Second Reading.  
HB00-1216 re-referred to Committee on Judiciary.  
SB00-164, HB00-1095, HB00-1258, HB00-1326, SB00-201, HB00-1148, HB00-1304, HB00-1264, HB00-1114, HB00-1127, HB00-1222, HB00-1314, HB00-1119, HB00-1078, HB00-1416, HB00-1202, HB00-1207, HB00-1186, SB00-193, HB00-1260, HB00-1300, HB00-1277 laid over until Monday, March 20, retaining their place on the calendar.  
HB00-1185, as amended, laid over until Monday, March 20, retaining its 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 HJR00-1006.

CONSIDERATION OF RESOLUTION

HJR 00-1006 by Rep. Dean; Sen. Blickensderfer--Easter Break & 2001 Convening Date (Printed in House Journal, February 15, pages 528-529.)

On motion of Senator Blickensderfer, the Resolution 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	E	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	N	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	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivant	Y		

Co-sponsor added: Chlouber.

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 Governor’s appointments.

CONSIDERATION OF GOVERNOR’S APPOINTMENTS

On motion of Senator Epps, the following Governor’s appointments were confirmed by a roll call vote:

BOARD OF DIRECTORS OF THE COLORADO  
UNINSURABLE HEALTH INSURANCE PLAN

for a term expiring July 1, 2002:

John P. Hopkins of Grand Junction, Colorado, to serve as a representative of an HMO, as an Unaffiliated, appointed;

for terms expiring July 1, 2003:

Oneita F. Potter of Grand Junction, Colorado, to serve as a representative of uninsurable, and as a Democrat, appointed;

Lisa H. Schneck of Denver, Colorado, to serve as a representative of the uninsurable and as a Democrat, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	E	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	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivan	Y		

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 Wattenberg, the following Governor’s appointment was confirmed by a roll call vote:

STATE BOARD OF AGRICULTURE

for terms expiring January 17, 2004:

Ronald W. Pettigrew of Durango, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	E	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	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivan	Y		

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 Friday, March 17, was laid over until Monday, March 20, retaining its place on the calendar.

COMMITTEE OF REFERENCE REPORTS

Health,  
Environment,  
Welfare and  
Institutions

After consideration on the merits, the committee recommends that HB00-1269 be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 2, strike lines 10 and 11 and substitute "MEANS."

Page 3, strike lines 20 and 21 and substitute the following:

"STANDARDS FOR INFORMATION TECHNOLOGY SYSTEMS EMPLOYED BY STATE AGENCIES THAT:";

strike line 23 and substitute the following:

"ACCESS TO INFORMATION STORED ELECTRONICALLY".

Page 4, line 8, strike "TECHNOLOGY ACCESS" and substitute "PROCUREMENT CRITERIA";

line 9, strike "CLAUSE";

strike lines 10 through 14 and substitute the following:

"(3) THE HEAD OF EACH STATE AGENCY SHALL ESTABLISH A WRITTEN PLAN, AS PART OF ITS ANNUAL INFORMATION TECHNOLOGY PLAN, AND DEVELOP ANY PROPOSED BUDGET REQUESTS FOR IMPLEMENTING THE NONVISUAL ACCESS STANDARDS FOR ITS AGENCY AT FACILITIES ACCESSIBLE BY THE PUBLIC.";

line 15, strike "technology access" and substitute "criteria";

line 16, strike "clause";

strike lines 17 through 26 and substitute the following:

"COMMISSION SHALL APPROVE MINIMUM STANDARDS AND CRITERIA TO BE USED IN APPROVING OR REJECTING PROCUREMENTS BY STATE AGENCIES FOR ADAPTIVE TECHNOLOGIES FOR NONVISUAL ACCESS USES IN COMPLIANCE WITH SECTION 24-37.5-202.".

Page 5, strike lines 1 through 8;

line 9, strike "(3)" and substitute "(2)";

line 15, strike "(4)" and substitute "(3)" and, strike "(3)" and substitute "(2)";

line 21, strike "(5)" and substitute "(4)".

Page 6, line 9, strike "A";

line 10, strike "TECHNOLOGY ACCESS CLAUSE" and substitute "CRITERIA" and strike "INFORMATION" and substitute "ADAPTIVE".

Trans-  
portation

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: HB00-1007



Trans- portation	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1057</u>	1 2 3 4 5
Trans- portation	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee on Appropriations: <u>HB00-1142</u>	6 7 8 9
State, Veterans, and Military Affairs	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>SB00-196</u>	10 11 12 13 14 15 16
State, Veterans, and Military Affairs	After consideration on the merits, the committee recommends that <u>SB00-197</u> be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:  Amend printed bill, page 2, line 6, strike " <b>facilities.</b> (1) LOCAL" and substitute the following:  " <b>facilities - legislative declaration.</b> (1) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT THE LOCATION, CONSTRUCTION, AND IMPROVEMENT OF MAJOR ELECTRICAL FACILITIES ARE MATTERS OF STATEWIDE CONCERN. THE GENERAL ASSEMBLY FURTHER FINDS, DETERMINES, AND DECLARES THAT:  (a) A RELIABLE SUPPLY OF ELECTRIC POWER STATEWIDE IS OF VITAL IMPORTANCE TO THE HEALTH, SAFETY, AND WELFARE OF THE PEOPLE OF COLORADO;  (b) ELECTRIC POWER IS TRANSMITTED BY MEANS OF AN INTERCONNECTED GRID SYSTEM SERVING EVERY AREA OF THE STATE;  (c) IMPACTS ON THE ELECTRIC GRID SYSTEM IN ONE AREA OF THE STATE MAY HAVE IMPACTS ON OTHER AREAS OF THE STATE; AND  (d) IT IS CRITICAL THAT PUBLIC UTILITIES THAT SUPPLY ELECTRIC SERVICE MAINTAIN THE ABILITY TO MEET THE DEMANDS FOR SUCH SERVICE AS GROWTH CONTINUES TO OCCUR STATEWIDE.  (2) LOCAL".  Renumber succeeding subsections accordingly.  Page 3, line 25, strike "(2)," and substitute "(3),".	17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53
State, Veterans, and Military Affairs	After consideration on the merits, the committee recommends that <u>SB00-172</u> be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:  Amend engrossed bill, page 3, strike lines 9 through 19.  Renumber succeeding section accordingly.	54 55 56 57 58 59 60 61 62 63 64
State, Veterans, and Military Affairs	After consideration on the merits, the committee recommends that <u>HB00-1313</u> be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:  Amend reengrossed bill, page 2, strike lines 17 through 22 and substitute the following:	65 66 67 68 69 70 71 72

"(b) Any person ~~who assists any eligible elector to cast~~ OTHER THAN AN ELECTION JUDGE OR THE SPOUSE, PARENT, GRANDPARENT, SIBLING OR CHILD EIGHTEEN YEARS OR OLDER OF THE ELECTOR WHO ASSISTS MORE THAN ONE ELIGIBLE ELECTOR IN THE PRECINCT IN CASTING his or her ballot shall first complete the following voter assistance/disabled voter self-affirmation form: "I, ....., shall not in any way attempt to persuade or induce the elector to vote in a particular manner nor will I cast the elector's vote other than as directed by the elector whom I am assisting.""".

State, Veterans, and Military Affairs

After consideration on the merits, the committee recommends that HB00-1347 be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 4, line 10, strike "HAS" and substitute "OR SUBSTANTIALY SIMILAR ITEMS HAVE".

Page 5, line 7, after "NOT", insert "OTHERWISE".

Page 7, line 4, strike "DETERMINE" and substitute "DETERMINED";

strike line 18 and substitute the following:

"(e) THE ESTIMATED ODDS OF RECEIVING EACH PRIZE PURSUANT TO PARAGRAPH (c) OF SUBSECTION (6) OF THIS SECTION";

line 19, strike "SPONSOR AND" and substitute "SPONSOR,";

line 20, strike "BUSINESS;" and substitute "BUSINESS, AND THE ADDRESS AT WHICH THE SPONSOR MAY BE CONTACTED;".

Page 8, line 16, after "SECTION", insert "OF OFFICIAL RULES WITH A SECTION".

Page 9, strike lines 13 through 15 and substitute the following:

"AWAY AND THE ESTIMATED ODDS OF WINNING EACH PRIZE BASED UPON THE FOLLOWING FORMULA:".

Page 10, line 8, strike "TIME, UNLESS THE" and substitute "TIME.";

strike lines 9 through 14.

Page 11, strike lines 3 through 5 and substitute the following:

"NEGOTIABLE INSTRUMENT, UNLESS THAT DOCUMENT CONTAINS A STATEMENT THAT SUCH DOCUMENT IS NONNEGOTIABLE AND HAS NO CASH VALUE.";

line 24, strike "FOLLOWING:" and substitute "FOLLOWING IN THE RULES:";

strike lines 25 and 26 and substitute the following:

"(I) THE NUMBER OF ROUNDS OR LEVELS WHICH MAY BE NECESSARY TO COMPLETE THE CONTEST AND DETERMINE WINNERS;".

Page 12, after line 13, insert the following:

**"6-1-804. Exemptions.** (1) THE REQUIREMENTS OF SECTION 6-1-803 (5) AND (6) SHALL NOT APPLY TO SOLICITATIONS OR REPRESENTATIONS MADE IN CONNECTION WITH THE SALE OF GOODS:

(a) BY A CATALOG SELLER THAT DERIVES AT LEAST FIFTY PERCENT OF ITS ANNUAL REVENUES FROM THE SALE OF PRODUCTS SOLD IN CONNECTION WITH THE DISTRIBUTION OF CATALOGS OF AT LEAST TWENTY-FOUR PAGES THAT CONTAIN WRITTEN DESCRIPTIONS OR ILLUSTRATIONS AND SALE PRICES FOR EACH ITEM OF MERCHANDISE, IF THE CATALOGS ARE DISTRIBUTED IN MORE THAN ONE STATE WITH A TOTAL ANNUAL DISTRIBUTION OF AT LEAST TWO HUNDRED FIFTY THOUSAND; OR

State,  
Veterans,  
and Military  
Affairs

(b) FROM A MEMBERSHIP GROUP OR CLUB SELLING BOOKS, PERIODICALS, RECORDINGS, VIDEOCASSETTES AND SIMILAR ITEMS THAT IS REGULATED BY THE FEDERAL TRADE COMMISSION PURSUANT TO 16 CFR 425.1 CONCERNING THE USE OF NEGATIVE OPTION PLANS BY SELLERS IN COMMERCE."

After consideration on the merits, the committee recommends that HB00-1336 be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 3, strike lines 18 through 23 and substitute the following:

"(73.5) (a) "LEGAL REPRESENTATIVE", AS USED IN SECTIONS 19-5-304 AND 19-5-305, MEANS THE PERSON DESIGNATED BY A COURT TO ACT ON BEHALF OF ANY PERSON DESCRIBED IN SECTION 19-5-304 (1) (b) (I) OR 19-5-305 (2)."

Page 4, line 24, strike "adoptee OR AN ADULT DESCENDANT OF AN ADOPTEE;" and substitute "adoptee;"

Page 5, strike lines 3 through 6 and substitute the following:

"(D) AN adult descendant of the adoptee or the adoptive parent, ~~legal guardian of an adoptee~~, spouse of an adoptee, adult stepchild, OR ADOPTED ADULT SIBLING of an adoptee WITH THE NOTARIZED WRITTEN CONSENT OF THE ADULT ADOPTEE;"

Page 7, line 18, strike "AN ADULT DESCENDANT OF AN";

line 19, strike the first "ADOPTEE,";

line 20, strike "PRIOR TO ACCESSING SUCH";

strike line 21;

line 22, strike "DEMONSTRATE THE RELATIONSHIP TO THE ADOPTEE.";

line 26, strike "~~an adult descendant of an~~" and substitute "OR BY an adult descendant of an".

Page 8, line 1, strike "~~adult adoptee or the adoptive parent~~," and substitute "adult adoptee or the adoptive parent".

Page 9, strike lines 18 through 26.

Page 10, strike lines 1 through 17, and substitute the following:

"(c) (I) Notwithstanding paragraphs (a) and (b) of this subsection (2), if it is determined:

(A) That the ~~person about whom information is sought~~ BIRTH PARENT is deceased, then the person seeking the information, whether he or she is the adult adoptee, the ~~adult~~ adoptive parent OF A MINOR ADOPTEE, or the legal representative of any such individual, shall be allowed access to the adoption records. IF ONE OF THE BIRTH PARENTS IS DECEASED AND THE OTHER BIRTH PARENT IS LIVING BUT IS NONCONSENTING, THEN ACCESS TO THE RECORDS SHALL BE PERMITTED AS PROVIDED IN THIS PARAGRAPH (c) WITHOUT THE NAME OF THE NONCONSENTING BIRTH PARENT. In addition, an ~~adult~~ adoptee's adoptive grandparent, an adult descendant of an adult adoptee, ~~or the adoptive parent, an adoptee's legal guardian~~, an adoptee's spouse, or the legal representative of any such individual shall be allowed access to those records described in section 19-1-103 (6.5) (a) (I), (6.5) (a) (II), (6.5) (a) (IV), and (6.5) (a) (V) IF SUCH PERSON SEEKING THE INFORMATION HAS THE NOTARIZED WRITTEN CONSENT OF THE ADULT ADOPTEE OR THE ADOPTIVE PARENT IF THE ADOPTEE IS A MINOR.

(B) THAT THE ADOPTEE IS DECEASED, THEN THE PERSON SEEKING THE INFORMATION, WHETHER HE OR SHE IS THE ADOPTIVE PARENT, AN

ADULT DESCENDANT OF THE ADOPTEE, OR THE LEGAL REPRESENTATIVE OF ANY SUCH INDIVIDUAL SHALL BE ALLOWED ACCESS TO THE ADOPTION RECORDS. IN ADDITION, AN ADOPTEE’S ADOPTIVE GRANDPARENT, AN ADULT DESCENDANT OF THE ADOPTIVE PARENT, AN ADOPTEE’S SPOUSE, OR THE LEGAL REPRESENTATIVE OF ANY SUCH INDIVIDUAL SHALL BE ALLOWED ACCESS TO THOSE RECORDS DESCRIBED IN SECTION 19-1-103 (6.5) (a) (I), (6.5) (a) (II), (6.5) (a) (IV), AND (6.5) (a) (V).".

Page 13, line 23, strike "The introductory portion of".

Page 14, line 2, strike "eleven" and substitute "~~eleven~~ THIRTEEN";

after line 6, insert the following:

"(a) Three members shall represent the judicial department and shall be appointed by the chief justice or his or her designee.

(b) Two members shall represent the department and shall be appointed by the executive director of such department or his or her designee.

(c) Three members shall represent licensed adoption agencies and shall be appointed by a representative of a private adoption agency. Such representative shall be selected by the executive director of the department.

(d) Three members shall represent either adoptees, adoptive parents, biological parents of adoptees, or biological siblings of adoptees and shall be selected by the executive director of the department.

(e) TWO MEMBERS SHALL REPRESENT CONFIDENTIAL INTERMEDIARIES AND SHALL HAVE COMPLETED TRAINING AS CONFIDENTIAL INTERMEDIARIES. SUCH MEMBERS SHALL BE APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT.".

State,  
Veterans,  
and Military  
Affairs

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: HB00-1299

State,  
Veterans,  
and Military  
Affairs

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: HB00-1225

State,  
Veterans,  
and Military  
Affairs

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: HB00-1229

State,  
Veterans,  
and Military  
Affairs

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: HB00-1234

State,  
Veterans,  
and Military  
Affairs

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: HB00-1249

State, Veterans, and Military Affairs	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1144</u>	1
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State, Veterans, and Military Affairs	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1394</u>	7
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State, Veterans, and Military Affairs	After consideration on the merits, the committee recommends that <u>HB00-1319</u> be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:  Amend reengrossed bill, page 2, line 12, strike "CHOOSE TO EITHER";  line 14, strike "card" and substitute "card.";  line 16, strike " <del>information</del> OR PROVIDE" and substitute " <del>information</del> ";  strike line 17;  line 18, strike "SUBSECTION (2).";  strike lines 22 through 26 and substitute the following:  "(b) Unless the election is canceled, for regular board of director elections, the governing body may elect, as an alternative to mailing the voter <del>notification</del> INFORMATION card or voter notification letter pursuant to paragraph (a) of this subsection (2), to give notice of the election by publication in a".  Page 3, after line 13, insert the following:  "SECTION 2. 1-5-506, Colorado Revised Statutes, is amended to read:  1-5-506. Election expenses in nonpartisan elections. The cost of conducting a nonpartisan election, including the cost of printing, MAILING VOTER INFORMATION CARDS PURSUANT TO SECTION 1-5-206, and supplies, shall be paid by the governing body calling the election."  Renumber succeeding section accordingly.	13
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State, Veterans, and Military Affairs	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1208</u>	38
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State, Veterans, and Military Affairs	After consideration on the merits, the committee recommends that <u>HB00-1096</u> be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:  Amend reengrossed bill, page 4, line 12, after "TO", insert "THE STATE PERSONNEL DIRECTOR OR";  line 13, strike "BOARD" and substitute "BOARD, AS APPROPRIATE,";  line 15, after "SUCH", insert "WRITTEN STATEMENT SHALL BE SUBMITTED TO THE STATE PERSONNEL DIRECTOR OR THE PERSONNEL BOARD COMMENSURATE WITH THE IMPLEMENTATION OF THE PROCESSES BY THE AGENCY. THE".	44
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State, Veterans, and Military Affairs	After consideration on the merits, the committee recommends that the following be postponed indefinitely: <u>HB00-1195</u>	1 2 3 4 5 6 7
Finance	After consideration on the merits, the committee recommends that <u>HB00-1284</u> be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:  Amend reengrossed bill, page 7, line 18, strike "ALL PROJECT PROPERTY" and substitute "THE PORTION OF A PROJECT THAT IS NOT USED AS A STORE, OFFICE, OR OTHER COMMERCIAL FACILITY THAT IS";  line 19, after "INCOME", insert "AND".  Page 8, line 9, strike "ALL PROJECT";  strike line 10 and substitute the following:  "THE PORTION OF A PROJECT THAT IS NOT USED AS A STORE, OFFICE, OR OTHER COMMERCIAL FACILITY THAT IS OCCUPIED BY PERSONS OF LOW INCOME AND THAT IS OWNED BY OR".	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29
Agriculture, Natural Resources and Energy	After consideration on the merits, the committee recommends that the following be referred to the Senate for final action: <u>SJR00-006</u>	30 31 32 33 34 35
Agriculture, Natural Resources and Energy	After consideration on the merits, the committee recommends that the following be postponed indefinitely: <u>HB00-1223</u>	36 37 38 39 40 41 42 43 44
<b>INTRODUCTION OF BILL</b>		45
The following bill was read by title and referred to the committee indicated:		46 47 48 49
SB 00-206	by Senator Tebedo; also Representative Spradley--Concerning the use of certain moneys in the local government limited gaming impact fund in fiscal years following the year in which the moneys were appropriated without requiring further appropriation by the general assembly. Business Affairs & Labor Appropriations	50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72

On motion of Senator Dyer, the Senate adjourned until 10:00 a.m., Monday,  
March 20, 2000.

Approved:

Ray Powers  
President of the Senate

Attest:

Patricia K. Dicks  
Secretary of the Senate

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