

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

45th Legislative Day Friday, February 18, 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, 24.
Absent/Excused--Anderson, Congrove, Evans, Hernandez, Lacy, Lamborn, Linkhart, Martinez, Musgrave, Reeves, Tanner--Total, 11.
Present later--Anderson, Congrove, Evans, Hernandez, Lacy, Lamborn, Linkhart, Martinez, Musgrave, Reeves, Tanner.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Musgrave, reading of the Journal of Thursday, February 17th was dispensed with and the Journal stands approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Services Correctly engrossed: SJM 00-001.
Correctly enrolled: SJM 00-001.
Correctly printed: SB 00-193, 194, 195.

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 00-093 by Sen. Nichol; Rep. Paschall--Notify Secured Lenders Of Tow Liens

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Anderson	Y	Evans	E	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	E	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivant	Y		

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

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

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Anderson	Y	Evans	E	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	E	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivant	Y		

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

SB 00-014 by Sen. Epps; Rep. Hefley--Videotaped Statement Hearsay Exception

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

YES	31	NO	1	EXCUSED	3	ABSENT	0
Anderson	Y	Evans	E	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	E	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	N
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivant	Y		

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

Co-sponsors added: Chlouber, Wham.

SB 00-138 by Sen. Sullivant; Rep. Dean--Internal Appeals For PPOs Under No Fault

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivant	Y		

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

SB 00-015 by Sen. Powers; Rep. Swenson--Electronic Motor Vehicle Titles

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivant	Y		

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

Co-sponsor added: Nichol.

SB 00-045 by Sen. Musgrave; Rep. Mitchell--Marriages Between One Man & One Woman

Call of Senate
Call of Senate.
Call Raised.

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

YES	20	NO	14	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	N
Andrews	Y	Feeley	N	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	N	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	N	Thiebaut	N
Chlouber	Y	Lacy	E	Perlmutter	N	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	N	Weddig	N
Dennis	Y	Linkhart	N	Reeves	N	Wham	Y
Dyer	N	Martinez	N	Rupert	N	Mr. President	Y
Epps	Y	Matsunaka	N	Sullivant	Y		

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

Co-sponsors added: Andrews, Arnold, Chlouber, Congrove, Epps, Hillman, Lamborn, Owen, Powers, Tebedo, Teck.

SB 00-165 by Sen. Pascoe; Rep. Gordon--Temporary Spousal Maintenance

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

YES	25	NO	9	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	N	Musgrave	Y	Tanner	Y
Andrews	N	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	N	Hernandez	Y	Owen	N	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
Chlouber	N	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	N	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	N	Linkhart	Y	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	N	Matsunaka	Y	Sullivant	N		

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

Co-sponsors added: Perlmutter.

HB 00-1176 by Rep. Dean; Sen. Sullivant--No Lim On Time Of Home Religious Study

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

YES	29	NO	6	EXCUSED	0	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	N	Thiebaut	N
Chlouber	Y	Lacy	Y	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	N	Weddig	N
Dennis	Y	Linkhart	N	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	N	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivant	Y		

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

Co-sponsors added: Andrews, Chlouber, Congrove, Hillman, Lamborn, Musgrave, Tebedo, Teck.

SB 00-095 by Sen. Wattenberg; Rep. George--Access To Eye Care Coverage

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

Third Reading Amendment No. 1, by Senator Wattenberg

Amend engrossed bill, page 3, line 26, strike "(5.5):" and substitute "(5.5), UNLESS THE CONTEXT OTHERWISE REQUIRES:".

Page 4, strike line 8, and substitute the following:

"STRUCTURES";

line 11, strike "PLAN." and substitute "PLAN, EXCLUDING THOSE HEALTH CARE SERVICES RENDERED IN CONJUNCTION WITH A ROUTINE VISION EXAMINATION OR THE FILLING OF PRESCRIPTIONS FOR CORRECTIVE EYEWEAR.".

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

YES21		NO14		EXCUSED0		ABSENT0	
Anderson	Y	Evans	N	Musgrave	Y	Tanner	Y
Andrews	N	Feeley	Y	Nichol	N	Tebedo	N
Arnold	N	Hernandez	Y	Owen	N	Teck	Y
Blickensderfer	N	Hillman	N	Pascoe	Y	Thiebaut	Y
Chlouber	Y	Lacy	N	Perlmutter	Y	Wattenberg	Y
Congrove	N	Lamborn	N	Phillips	Y	Weddig	Y
Dennis	N	Linkhart	Y	Reeves	Y	Wham	N
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivan	N		

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

Co-sponsors added: Feeley, Hernandez, Matsunaka, Phillips, Rupert, Weddig.

SB 00-075 by Sen. Lacy; Rep. Tool--Custodial Moneys Received By AG

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

YES35		NO0		EXCUSED0		ABSENT0	
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	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivan	Y		

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

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

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

Third Reading Amendment No. 1, by Senator Tanner

Amend engrossed bill, p. 2, line 7, strike "FOR SUCH AN ACT,".

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

YES32		NO3		EXCUSED0		ABSENT0	
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	Y	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	N
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivan	N		

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

SB 00-187 by Sen. Lacy; Rep. Tool--Elim State Pension Oblig Notes

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

YES	35	NO	0	EXCUSED	0	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	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivan	Y		

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

Co-sponsor added: Tebedo.

Committee of the Whole
On motion of Senator Arnold, the Senate resolved itself into Committee of the Whole for consideration of General Orders and Senator Arnold 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 00-024 by Sen. Nichol; Rep. Morrison--Juveniles And Misdemeanor Sex Offenses

Laid over until Monday, February 21, retaining its place on the calendar.

SB 00-176 by Sen. Blickensderfer; Rep. Kester--CO Ed & Cul Fac Auth Act Entities Elig

Laid over until Monday, February 21, retaining its place on the calendar.

SB 00-172 by Sen. Evans; Rep. Kaufman--Title Setting Procedures
(Amended in General Orders as printed in Senate Journal, February 17, pages 340-341.)

Amendment No. 1, by Senator Wattenberg

Amend printed bill, page 7, before line 11, insert the following:

"SECTION 2. 1-40-109 (1), Colorado Revised Statutes, is amended to read:

1-40-109. Signatures required. (1) No petition for any initiated law or amendment to the state constitution shall be of any force or effect, nor shall the proposed law or amendment to the state constitution be submitted to the people of the state of Colorado for adoption or rejection at the polls, as is by law provided for, unless the petition for the submission of the initiated law or amendment to the state constitution is signed by the number of electors required by the state constitution. EACH SUCH PETITION SHALL BE SIGNED BY NOT LESS THAN TWO THOUSAND ELECTORS IN EACH STATE SENATORIAL DISTRICT."

As amended, declared LOST on Second Reading. (For further action, see Roll Call Vote, page 354, where SB00-172, as amended, was declared passed on Second Reading.)

SB 00-143 by Sen. Matsunaka--Medicare Eligible Pharmaceutical Assist
Laid over until Monday, February 21, retaining its place on the calendar.

SB 00-009 by Sen. Owen; Rep. Larson--Conduct Of Administrative Law Judges
Laid over until Monday, February 21, retaining its place on the calendar.

The following bills on the General Orders calendar of Friday, February 18 were laid over until Monday, February 21, retaining their place on the calendar:

SB00-065, SB00-094, SB00-088, SB00-145, SB00-160, SB00-178, SB00-191, HB00-1152, HB00-1113, HB00-1226, HB00-1092, HB00-1091, HB00-1087, HB00-1027, SB00-189, HB00-1216, HB00-1059, HB00-1194, HB00-1073, HB00-1075.

ROLL CALL VOTE ON SB00-172

SB 00-172 by Sen. Evans; Rep. Kaufman--Title Setting Procedures

On request of Senator Evans, the President ordered a roll call vote on SB00-172, as amended:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	N	Tanner	Y
Andrews	N	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	N	Wattenberg	Y
Congrove	N	Lamborn	N	Phillips	N	Weddig	Y
Dennis	Y	Linkhart	N	Reeves	N	Wham	Y
Dyer	Y	Martinez	Y	Rupert	N	Mr. President	N
Epps	Y	Matsunaka	Y	Sullivan	N		

SB00-172, as amended, declared PASSED on Second Reading.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Arnold, 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:

SB00-172, as amended, declared passed on Second Reading.
SB00-024, SB00-176, SB00-143, SB00-009, SB00-065, SB00-094, SB00-088, SB00-145, SB00-160, SB00-178, SB00-191, HB00-1152, HB00-1113, HB00-1226, HB00-1092, HB00-1091, HB00-1087, HB00-1027, SB00-189, HB00-1216, HB00-1059, HB00-1194, HB00-1073, HB00-1075 laid over until Monday, February 21, retaining their place on the calendar.

On motion of Senator Blickensderfer, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, February 18, was laid over until Monday, February 21, retaining its place on the calendar.

COMMITTEE OF REFERENCE REPORTS

Business Affairs and Labor After consideration on the merits, the committee recommends that HB00-1179 be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 8, line 3, strike "JULY 1, 2005." and substitute "JULY 1, 2010.".

Page 20, line 9, strike "2015." and substitute "2010.";

line 12, strike "(3) (r)," and substitute "(3),";

line 13, strike "SUBPARAGRAPH" and substitute "PARAGRAPH";

strike lines 17 through 20 and substitute the following:

"(w) JULY 1, 2010: THE ADVISORY COMMITTEE APPOINTED PURSUANT TO SECTION 12-8-108 (2), C.R.S., BY THE DIRECTOR OF THE DIVISION OF REGISTRATIONS IN THE DEPARTMENT OF REGULATORY AGENCIES."

Page 21, line 11, strike "SUBSECTION" and substitute "PARAGRAPH";

strike lines 12 through 17 and substitute the following:

"24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (41) The following agencies, functions, or both, shall terminate on July 1, 2010:

(f) THE LICENSING OF BARBERS AND COSMETOLOGISTS BY THE DIRECTOR OF THE DIVISION OF REGISTRATIONS PURSUANT TO ARTICLE 8 OF TITLE 12, C.R.S."

Business
Affairs
and Labor

After consideration on the merits, the committee recommends that HB00-1088 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 15 through 23 and substitute the following:

"SECTION 3. Effective date. This act shall take effect January 1, 2001.

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."

Business
Affairs
and Labor

After consideration on the merits, the committee recommends that SB00-184 be amended as follows and, as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 1, line 2, strike "(3), (6), and (7)," and substitute "(3) and (6),";

line 3, strike "amended, and the said 9-1.5-102 is further amended BY" and substitute "amended to read:";

strike line 4.

Page 2, strike lines 6 through 12;

line 13, strike "individual," and substitute "individual ACTING ON HIS OR HER OWN BEHALF,";

strike lines 17 through 24.

Page 3, line 1, strike "A NEW PARAGRAPH," and substitute "THE FOLLOWING NEW PARAGRAPHS,";

line 5, strike "shall" and substitute "shall, AT NO COST TO THE EXCAVATOR, USE REASONABLE CARE TO";

line 7, strike "eighteen" and substitute "eighteen";

line 8, strike "THIRTY";

line 16, after "SHALL", insert "USE REASONABLE CARE TO";

line 19, after "EXCAVATOR", insert "AND PROVIDING DOCUMENTATION THEREOF, IF REQUESTED,";

line 20, after the period, add "OWNERS AND OPERATORS SHALL, WITHIN THE TIME LIMITS SPECIFIED IN SUBSECTION (6) OF THIS SECTION, PROVIDE TO THE EXCAVATOR EVIDENCE, IF ANY, OF FACILITIES ABANDONED AFTER JANUARY 1, 2001, KNOWN TO THE OWNER OR OPERATOR TO BE IN THE PROPOSED EXCAVATION AREA.";

line 21, strike "REMOVES OR OTHERWISE" and substitute "OR MALICIOUSLY REMOVES";

line 22, strike "DESTROYS";

line 23, strike "FACILITY" and substitute "FACILITY, EXCEPT IN THE ORDINARY COURSE OF EXCAVATION,".

Page 4, after line 1, insert the following:

"(b.7) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT THE AUTHORITY OF OWNERS OR OPERATORS AS DEFINED IN SECTION 9-1.5-105 (2) (b) (IV) TO CHARGE EXCAVATORS FOR UNDERGROUND FACILITY LOCATES.".

strike lines 2 through 7 and substitute the following:

"(c) (I) WHEN A PERSON EXCAVATES WITHIN EIGHTEEN INCHES HORIZONTALLY FROM THE EXTERIOR SIDES OF ANY UNDERGROUND FACILITY, SUCH PERSON SHALL EXERCISE SUCH REASONABLE CARE AS NECESSARY TO PROTECT ANY UNDERGROUND FACILITY IN OR NEAR THE EXCAVATION AREA. It shall be the responsibility of the excavator".

Page 5, strike lines 11 and 12 and substitute the following:

"~~negligence~~ IF SUCH EXCAVATOR EXERCISES SUCH REASONABLE CARE AS NECESSARY TO PROTECT ANY UNDERGROUND FACILITY IN OR NEAR THE EXCAVATION AREA.".

Page 7, line 1, after "FACILITIES,", insert "INCLUDING, BUT NOT LIMITED TO, ANY COST OR DAMAGE INCURRED BY THE OWNER OR OPERATOR OR THE EXCAVATOR AS A RESULT OF ANY DELAY IN THE EXCAVATION PROJECT WHILE THE UNDERGROUND FACILITY IS RESTORED, REPAIRED, OR REPLACED,";

strike lines 4 through 7 and substitute the following:

"RESOLUTION PROGRAM SHALL INCLUDE MEDIATION, ARBITRATION, OR OTHER APPROPRIATE PROCESSES OF DISPUTE RESOLUTION. THE ISSUE OF LIABILITY AND AMOUNT OF DAMAGES UNDER COLORADO LAW MAY BE DECIDED BY AN APPOINTED ARBITRATOR OR BY THE PARTIES IN MEDIATION.";

line 24, after "AND", insert "UP TO".

Page 8, line 11, strike "(1), SUCH OWNER OR OPERATOR SHALL BE STRICTLY" and substitute "(1) OR FAILURE TO USE REASONABLE CARE IN THE MARKING OF THE DAMAGED UNDERGROUND FACILITY, SUCH OWNER OR OPERATOR SHALL BE PRESUMABLY";

strike lines 24 through 26.

Page 9, strike lines 1 through 3;

line 6, after the period, add "FOR PURPOSES OF THIS PARAGRAPH (a), EXCAVATION SHALL NOT INCLUDE AN EXCAVATION BY A RANCHER OR A FARMER, AS DEFINED IN SECTION 42-20-108.5, C.R.S., OCCURRING ON A RANCH OR FARM UNLESS SUCH EXCAVATION IS FOR A NONAGRICULTURAL PURPOSE.";

line 7, strike "HOMEOWNER" and substitute "HOMEOWNER, RANCHER, OR FARMER, AS DEFINED IN SECTION 42-20-108.5, C.R.S.,";

line 8, strike "HOMEOWNER'S" and substitute "HOMEOWNER'S, RANCHER'S,
OR FARMER'S";

line 12, strike "HOMEOWNER" and substitute "HOMEOWNER, RANCHER, OR
FARMER, AS DEFINED IN SECTION 42-20-108.5, C.R.S.,";

line 13, strike "HOMEOWNER'S" and substitute "HOMEOWNER'S,
RANCHER'S, OR FARMER'S";

line 17, after "AND", insert "UP TO".

Page 10, line 1, strike "HOMEOWNER" and substitute "HOMEOWNER,
RANCHER, OR FARMER, AS DEFINED IN SECTION 42-20-108.5, C.R.S.,";

line 2, strike "HOMEOWNER'S" and substitute "HOMEOWNER'S, RANCHER'S,
OR FARMER'S";

line 3, after "(2)", insert "OR FAILS TO EXERCISE REASONABLE CARE IN
EXCAVATING";

line 4, strike "STRICTLY" and substitute "PRESUMABLY";

strike lines 7 through 9 and substitute the following:

"FACILITY, TOGETHER WITH";

strike lines 18 through 26.

Page 11, strike lines 1 and 2 and substitute the following:

"(e) PARAGRAPH (d) OF THIS SUBSECTION (2) SHALL NOT";

line 6, before the period, insert "OR HAS FAILED TO USE REASONABLE CARE
IN THE MARKING OF THE AFFECTED UNDERGROUND FACILITY";

line 16, strike "PARTY" and substitute "PREVAILING PARTY.";

strike line 17;

after line 20, insert the following:

"(d) NO CIVIL PENALTY SHALL BE IMPOSED UNDER THIS SECTION
AGAINST AN EXCAVATOR OR OWNER OR OPERATOR WHO VIOLATES ANY OF
THE PROVISIONS OF THIS SECTION IF THE VIOLATION OCCURRED WHILE THE
EXCAVATOR OR OWNER OR OPERATOR WAS RESPONDING TO A SERVICE
OUTAGE OR OTHER EMERGENCY; EXCEPT THAT SUCH PENALTY SHALL BE
IMPOSED IF SUCH VIOLATION WAS WILLFUL OR MALICIOUS.";

after line 24, insert the following:

"(5) IN DETERMINING THE LIABILITY FOR OR THE AMOUNT OF ANY
DAMAGES OR CIVIL PENALTY PURSUANT TO THIS ARTICLE, A COURT OR
ARBITRATOR SHALL CONSIDER THE NATURE, CIRCUMSTANCES, AND
GRAVITY OF THE ALLEGED VIOLATION AND THE ALLEGED VIOLATOR'S
DEGREE OF CULPABILITY, HISTORY OF PRIOR VIOLATIONS, AND LEVEL OF
COOPERATION WITH THE REQUIREMENTS OF THIS ARTICLE."

Business
Affairs
and Labor

The Committee returns herewith Senate Bill 00-83 because consideration of the measure
was postponed for more than 30 days or until a date beyond the date for adjournment sine
die of the legislative session. Therefore, under Senate Rule 22 (f), said bill is deemed to
be postponed indefinitely.

Senate in recess.

Senate reconvened.

SIGNING OF BILLS

The President has signed: SJM 00-001.

COMMITTEE OF REFERENCE REPORTS

Health,
Environment,
Welfare and
Institutions

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: HB00-1037

Health,
Environment,
Welfare and
Institutions

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: HB00-1036

Health,
Environment,
Welfare and
Institutions

After consideration on the merits, the committee recommends that HB00-1077 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, after "COORDINATOR", insert "FOR THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT".

Page 6, after line 7, insert the following:

"(IV) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY OR THE EXECUTIVE DIRECTOR'S DESIGNEE SHALL SERVE AS AN EX OFFICIO MEMBER OF THE COMMITTEE AND SHALL NOT BE ABLE TO VOTE ON DECISIONS OF THE COMMITTEE. THE EXECUTIVE DIRECTOR SHALL SERVE AS A LIAISON BETWEEN THE COMMITTEE, THE COUNCIL, AND THE COLORADO EMERGENCY PLANNING COMMISSION IN THE EVENT OF AN EMERGENCY EPIDEMIC."

Page 11, line 11, strike "July 1," and substitute "upon signature of the governor.";

strike line 12.

Health,
Environment,
Welfare and
Institutions

After consideration on the merits, the committee recommends that HB00-1172 be amended as follows, and as so amended, be referred to the Committee on State, Veterans, and Military Affairs with favorable recommendation:

Amend reengrossed bill, page 3, line 19, after "REVIEW.", insert "IF THE LEGISLATIVE COUNCIL DOES NOT RECOMMEND INTRODUCTION OF A BILL UNDER THIS SUBSECTION (2), THE ADDITION OR CHANGE TO THE SIP ELEMENT MAY BE SUBMITTED UNDER PARAGRAPH (B) OF THIS SUBSECTION (2).".

Trans-
portation

After consideration on the merits, the committee recommends that SB00-182 be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, after line 1, insert the following:

"SECTION 1. 1-4-204, Colorado Revised Statutes, is amended to read:

1-4-204. State and district officers. At the general election in 1982 and every fourth year thereafter, the following state officers shall be elected: One governor, one lieutenant governor, one secretary of state, one state treasurer, and one attorney general. The lieutenant governor shall be elected jointly with the governor. At every general election, the number of members of the state house of representatives to which each

representative district is entitled shall be elected in that district. Candidates for the offices of regents of the university of Colorado, state senators, members of the state board of education, MEMBERS OF THE BOARD OF DIRECTORS OF THE REGIONAL TRANSPORTATION DISTRICT, and district attorneys shall be voted on at the general election immediately prior to the expiration of the regular terms for those offices.

SECTION 2. 1-4-502 (1), Colorado Revised Statutes, is amended to read:

1-4-502. Methods of nomination for partisan candidates. (1) Nominations for United States senator, representative in congress, governor, lieutenant governor, secretary of state, state treasurer, attorney general, member of the state board of education, regent of the university of Colorado, member of the general assembly, MEMBER OF THE BOARD OF DIRECTORS OF THE REGIONAL TRANSPORTATION DISTRICT, district attorney, and all county officers to be elected at the general election may be made either by primary election or by petition for nomination of an unaffiliated candidate as provided in section 1-4-802.

SECTION 3. 1-4-602 (2) and (6), Colorado Revised Statutes, are amended to read:

1-4-602. Delegates to party assemblies. (2) (a) In each state senatorial, and representative AND REGIONAL TRANSPORTATION DIRECTOR district comprised of a portion of one county only, persons elected at precinct caucuses as delegates to the county assemblies shall serve also as delegates to the senatorial, and representative, AND REGIONAL TRANSPORTATION DIRECTOR district assemblies.

(b) In each state senatorial, and representative, AND REGIONAL TRANSPORTATION DIRECTOR district comprised of one or more whole counties and a portion of one or more counties or comprised of portions of two or more counties, the number of delegates to the senatorial, and representative, AND REGIONAL TRANSPORTATION DIRECTOR district assemblies shall be apportioned among the counties by the party's senatorial, or representative, OR REGIONAL TRANSPORTATION DISTRICT DIRECTOR DISTRICT central committee according to the vote in the county or portion of a county for that party's candidate for governor or president in the last general election, pursuant to the state party central committee's bylaws or rules.

(6) In each state senatorial, and representative, AND REGIONAL TRANSPORTATION DIRECTOR district comprised of all or parts of more than one county, persons elected at precinct caucuses as delegates to the county assemblies from precincts within the senatorial, or representative, AND REGIONAL TRANSPORTATION DIRECTOR district shall also serve as delegates to the senatorial, and representative, AND REGIONAL TRANSPORTATION DIRECTOR district assemblies if the senatorial, or representative, OR REGIONAL TRANSPORTATION DIRECTOR district central committee, by resolution adopted prior to the holding of the precinct caucuses in the year for which the resolution is to be effective, chooses to have the delegates to its district assembly in that year elected as provided in this subsection (6); except that selection of delegates under this subsection (6) shall be in conformance with the procedure established in the state party central committee's bylaws or rules. As a part of the resolution, the senatorial, or representative, OR REGIONAL TRANSPORTATION DISTRICT central committee may determine the total number of delegate votes to be cast at the senatorial, or representative, OR REGIONAL TRANSPORTATION DIRECTOR district assembly, apportion them by county among the portions of the district which lie in separate counties upon an equitable basis determined by party bylaws or rules, and, upon the basis of the apportionment, determine the factor necessary to apportion equally among the delegates from the precincts within the district in each county the total votes to be cast by delegates from the portion of the district lying within that county.

SECTION 4. 1-4-801 (2) (b), Colorado Revised Statutes, is amended to read:

1-4-801. Designation of party candidates by petition. (2) The signature requirements for the petition are as follows:

(b) Every petition in the case of a candidate for member of the general assembly, MEMBER OF THE BOARD OF DIRECTORS OF THE REGIONAL TRANSPORTATION DISTRICT, district attorney, or any district office greater than a county office shall be signed by eligible electors resident within the district for which the officer is to be elected. The petition shall require the lesser of one thousand signers or signers equal to thirty percent of the votes cast in the district at the primary election for the political party's candidate for the office for which the petition is being circulated, or if there was no primary election, at the last preceding general election for which there was a candidate for the office.

SECTION 5. The introductory portion to 1-4-802 (1) (c), Colorado Revised Statutes, is amended, and the said 1-4-802 (1) (c) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

1-4-802. Petitions for nominating unaffiliated candidates for a partisan office. (1) Candidates for public offices to be filled at a general or congressional vacancy election who do not wish to affiliate with a political party may be nominated, other than by a primary election or a convention, in the following manner:

(c) Every petition for the office of president and vice president, for statewide office, for congressional district office, for the office of member of the general assembly, FOR THE OFFICE OF MEMBER OF THE BOARD OF DIRECTORS OF THE REGIONAL TRANSPORTATION DISTRICT, for district attorney, and for county office shall be signed by eligible electors residing within the district or political subdivision in which the officer is to be elected. The number of signatures of eligible electors on a petition shall be as follows:

(V.5) THE LESSER OF SIX HUNDRED OR TWO PERCENT OF THE VOTES CAST IN THE REGIONAL TRANSPORTATION DIRECTOR DISTRICT IN THE MOST RECENT GENERAL ELECTION FOR THE OFFICE OF MEMBER OF THE BOARD OF DIRECTORS OF THE REGIONAL TRANSPORTATION DISTRICT;

SECTION 6. 1-10-103 (2), Colorado Revised Statutes, is amended to read:

1-10-103. Survey of returns by secretary of state. (2) On the sixteenth day after any general or congressional vacancy election, the secretary of state shall survey the returns of votes cast for the following: Presidential electors, United States senators, representatives in congress, governor and lieutenant governor, secretary of state, state treasurer, attorney general, regents of the university of Colorado, members of the state board of education, MEMBERS OF THE BOARD OF DIRECTORS OF THE REGIONAL TRANSPORTATION DISTRICT, state senators, state representatives, and district attorneys.

SECTION 7. 1-11-101 (2), Colorado Revised Statutes, is amended to read:

1-11-101. Tie votes at partisan elections. (2) If at any general or congressional vacancy election any two or more persons tie for the highest number of votes for presidential electors, for United States senator, for representative in congress, for regent of the university of Colorado, for member of the state board of education, FOR MEMBER OF THE BOARD OF DIRECTORS OF THE REGIONAL TRANSPORTATION DISTRICT, for state senator or state representative, or for district attorney, the secretary of state shall proceed to determine by lot which of the candidates shall be declared elected. Reasonable notice shall be given to the candidates of the time when the election will be determined.

SECTION 8. 1-11-205 (1), Colorado Revised Statutes, is amended to read:

1-11-205. Contests for state officers. (1) Proceedings to contest the election of any person declared elected governor, lieutenant governor, secretary of state, state treasurer, attorney general, member of the state board of education, MEMBER OF THE BOARD OF DIRECTORS OF THE REGIONAL TRANSPORTATION DISTRICT, or regent of the university of Colorado may be commenced by filing with the secretary of the senate,

between the sixth and tenth legislative days of the first session of the general assembly after the day of the election, a notice of intention to contest the election, specifying the particular grounds on which the contestor means to rely. The contestor shall file with the secretary of the senate a bond, with sureties, running to the contestee and conditioned to pay all costs in case of failure to maintain the contest. The secretary of the senate shall determine the sufficiency of the bond, and, if it is sufficient, approve it.

SECTION 9. 1-45-110 (2) (a), Colorado Revised Statutes, is amended to read:

1-45-110. Candidate affidavit - disclosure statement. (2) (a) Except as provided in paragraph (b) of this subsection (2), each candidate for the general assembly, governor, lieutenant governor, attorney general, state treasurer, secretary of state, state board of education, regent of the university of Colorado, BOARD OF DIRECTORS OF THE REGIONAL TRANSPORTATION DISTRICT, and district attorney shall file a statement disclosing the information required by section 24-6-202 (2), C.R.S., with the appropriate officer, on a form approved by the secretary of state, within ten days of filing the affidavit required by subsection (1) of this section.

SECTION 10. 24-6-202 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24-6-202. Disclosure - contents - filing - false or incomplete filing - penalty. (1) Not more than thirty days after their election, reelection, appointment, or retention in office, written disclosure, in such form as the secretary of state shall prescribe, stating the interests named in subsection (2) of this section shall be made to and filed with the secretary of state of Colorado by:

(i) EACH MEMBER OF THE BOARD OF DIRECTORS OF THE REGIONAL TRANSPORTATION DISTRICT."

Renumber succeeding sections accordingly.

Page 2, strike lines 20 and 21.

Strike pages 3 through 5.

Page 6, strike lines 1 through 20 and substitute the following:

"SECTION 13. 32-9-111 (5) (a), Colorado Revised Statutes, is amended to read:

32-9-111. Election of directors - dates - terms. (5) (a) Except as provided in this subsection (5), nominations for an election of directors shall be made in accordance with the general election laws of the state. Nominations for directors shall be made BY POLITICAL PARTY ASSEMBLIES AS PROVIDED IN PARTS 5 AND 6 OF ARTICLE 4 OF TITLE 1, C.R.S., OR by petition in the manner provided for independent candidates pursuant to section 1-4-802 and part IN PARTS 8 AND 9 of article 4 of title 1, C.R.S. Petitions shall be filed in the office of the secretary of state not less than sixty days before the election required pursuant to subsection (3) of this section. The petitions shall be signed by at least two hundred fifty eligible electors residing within the director district in which the officer is to be elected.

SECTION 14. 32-9-115 (3), Colorado Revised Statutes, is amended to read:

32-9-115. Records of board - audits. (3) In addition to the audit authorized in subsection (1) of this section and the audit required pursuant to section 29-1-603, C.R.S., ON OR BEFORE AUGUST 1, 2001, AND NOT LESS THAN EVERY TWO YEARS THEREAFTER OR upon the affirmative vote of a majority of the members of the legislative audit committee created pursuant to section 2-3-101, C.R.S., it shall be the duty of the state auditor to conduct or cause to be conducted audits of the REVENUES, EXPENDITURES, AND ANY PROGRAM OF THE district THAT IS SUBJECT TO THE AUTHORITY OF THE BOARD. The state auditor shall

	prepare for the committee a report pursuant to section 2-3-103, C.R.S."	1
	Renumber succeeding sections accordingly.	2
	Page 7, strike lines 7 through 26.	3
	Strike pages 8 through 10.	4
	Page 11, strike lines 1 through 6.	5
	Renumber succeeding section accordingly.	6
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Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1396</u>	15
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Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1397</u>	20
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Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1398</u>	25
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Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1399</u>	30
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Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1400</u>	35
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Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1401</u>	40
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Appropriations	After consideration on the merits, the committee recommends that <u>HB00-1402</u> be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:	45
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	Amend reengrossed bill, page 44, line 1, strike "\$13,562,683" and substitute "\$13,513,591" and strike "\$373,391(T)" and substitute "\$422,483(T)";	49
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	line 4, strike "\$5,877,834" and substitute "\$5,877,837" and strike "\$1,195,810(T)" and substitute "\$1,146,718(T)".	53
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Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1403</u>	57
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Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1404</u>	62
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Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1405</u>	67
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Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1406</u>	1 2 3 4 5
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1407</u>	6 7 8 9
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1408</u>	10 11 12 13 14 15
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1409</u>	16 17 18 19 20
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1410</u>	21 22 23 24 25
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1411</u>	26 27 28 29 30
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1412</u>	31 32 33 34 35
Appropriations	After consideration on the merits, the committee recommends that <u>HB00-1413</u> 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 9, strike "Department of State Cash Fund." and substitute " Department of State Cash Fund. DEPARTMENT.".	36 37 38 39 40 41 42 43 44
Appropriations	After consideration on the merits, the committee recommends that <u>HB00-1414</u> be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation: Amend reengrossed bill, page 9, line 13, strike "\$171,700,000" and substitute " \$171,700,000 \$180,900,000".	45 46 47 48 49 50 51 52
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1415</u>	53 54 55 56 57
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1109</u>	58 59 60 61 62
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>SB00-068</u>	63 64 65 66 67 68 69 70 71 72

Appropriations	After consideration on the merits, the committee recommends that <u>SB00-071</u> be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:	1
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	Amend the Health, Environment, Welfare, and Institutions Committee amendment, as printed in Senate Journal, January 28, page 178, strike lines 53 through 64, and substitute the following:	5
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	""(3) (a) THE STATE TREASURER SHALL CONTRACT WITH ONE OR MORE PRIVATE, PROFESSIONAL FUND MANAGERS, PROFESSIONAL FUND ADVISORS, OR PORTFOLIO MANAGERS FOR THE INVESTMENT OF MONEYS IN THE TOBACCO LITIGATION SETTLEMENT TRUST FUND AS PROVIDED IN THIS SECTION. SUCH MONEYS MAY BE INVESTED IN THE TYPES OF INVESTMENTS AUTHORIZED IN SECTIONS 24-36-109, 24-36-112, AND 24-36-113. SUCH MONEYS MAY ALSO BE INVESTED IN DOMESTIC AND INTERNATIONAL EQUITIES; EXCEPT THAT:	11
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	(I) ANY INVESTMENT OF TOBACCO LITIGATION SETTLEMENT TRUST FUND MONEYS IN THE COMMON OR PREFERRED STOCK, OR BOTH, OF ANY SINGLE CORPORATION SHALL NOT EXCEED FIVE PERCENT OF THE THEN BOOK VALUE OF THE TRUST FUND;	21
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	(II) THE TOBACCO LITIGATION SETTLEMENT TRUST FUND SHALL NOT ACQUIRE MORE THAN FIVE PERCENT OF THE OUTSTANDING STOCK OR BONDS OF ANY SINGLE CORPORATION; AND	31
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	(III) THE AGGREGATE AMOUNT OF MONEYS OF THE TOBACCO LITIGATION SETTLEMENT TRUST FUND INVESTED IN COMMON OR PREFERRED STOCK OR IN CORPORATE BONDS, NOTES, OR DEBENTURES THAT ARE CONVERTIBLE INTO COMMON OR PREFERRED STOCK SHALL NOT EXCEED SIXTY PERCENT OF THE THEN BOOK VALUE OF THE TRUST FUND. NO MORE THAN FIFTEEN PERCENT OF THESE INVESTMENTS SHALL BE IN THE COMMON OR PREFERRED STOCK OF CORPORATIONS NOT ORGANIZED UNDER THE LAWS OF THE UNITED STATES OR ANY STATE, TERRITORY, OR POSSESSION OF THE UNITED STATES OR THE DISTRICT OF COLUMBIA OR OF THE DOMINION OF CANADA OR ANY PROVINCE THEREOF.	41
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	(b) THE STATE TREASURER MAY MAKE PAYMENTS WITHOUT APPROPRIATION OF ALL ACTUAL AND NECESSARY CHARGES FOR EXPENSES RELATED TO THE INVESTMENT OF THE TOBACCO LITIGATION SETTLEMENT TRUST FUND MONEYS. SUCH PAYMENTS SHALL BE MADE FROM INVESTMENT ASSETS OR INCOME."	51
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	Page 179, after line 20, insert the following:	61
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	"Page 30, strike lines 4 through 23.	71
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	Renumber succeeding sections accordingly.";	81
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	after line 61, insert the following:	91
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	"Page 63, after line 21, insert the following:	101
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	"SECTION 16. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, to the department of education, for the fiscal year beginning July 1, 2000, the sum of twenty million dollars (\$20,000,000), or so much thereof as may be necessary, for the read to achieve grant program created in section 22-7-506, Colorado Revised Statutes. Said sum shall be from the tobacco litigation settlement cash fund created in section 24-22-115, Colorado Revised Statutes.	111
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	(2) In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, for the fiscal year beginning July 1, 2000, the sum of ten million dollars (\$10,000,000), or so much thereof as may be necessary, for the children's basic health plan. Said sum shall be from the tobacco litigation settlement cash fund created in section 24-22-115, Colorado Revised Statutes.	121
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	(3) In addition to any other appropriation, there is hereby appropriated, to the department of higher education, regents of the university of Colorado, for the office of the president, for the fiscal year	131
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beginning July 1, 2000, the sum of eight million dollars (\$8,000,000), or so much thereof as may be necessary, for the university of Colorado tobacco-and substance-abuse-related research grant program created in section 23-20-203, Colorado Revised Statutes. Said sum shall be from the tobacco litigation settlement cash fund created in section 24-22-115, Colorado Revised Statutes.

(4) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the tobacco litigation settlement cash fund created in section 24-22-115, Colorado Revised Statutes, to the department of public health and environment, for the fiscal year beginning July 1, 2000, the sum of nineteen million dollars (\$19,000,000) and 8.7 FTE, or so much thereof as may be necessary, for the implementation of this act. Of said sum, four million dollars (\$4,000,000) and 1.5 FTE shall be for the nurse home visitor program created in section 25-31-104, Colorado Revised Statutes, and fifteen million dollars (\$15,000,000) and 7.2 FTE shall be for the tobacco education, prevention, and cessation grant program created in section 25-3.5-804, Colorado Revised Statutes."

Page 1, line 102, strike "SETTLEMENT." and substitute "SETTLEMENT, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."."

TRIBUTES--A POINT OF INTEREST

- Honoring Harry Morgan by Senator Dennis
- Honoring Craver Middle School by Senator Thiebaut
- Honoring Pleasant View Middle School by Senator Thiebaut
- Honoring Pueblo West Middle School by Senator Thiebaut
- Honoring Swallows Charter Academy by Senator Thiebaut
- Honoring The Connect Charter School by Senator Thiebaut
- Honoring Vineland Middle School by Senator Thiebaut
- Honoring Futures Academy by Senator Thiebaut
- Honoring Pueblo County High School by Senator Thiebaut
- Honoring Pueblo Technical School by Senator Thiebaut
- Honoring Pueblo West High School by Senator Thiebaut
- Memorializing James Joseph Patti Sr. by Senator Thiebaut

On motion of Senator Blickensderfer, the Senate adjourned until 10:00 a.m., Monday, February 21, 2000.

Approved:

Ray Powers
President of the Senate

Attest:

Patricia K. Dicks
Secretary of the Senate