

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

118<sup>th</sup> Legislative Day Monday, May 1, 2000

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

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

Roll Call Present--Total, 34.  
Absent/Excused--Lacy--Total, 1.  
Present later--Lacy.

Quorum The President announced a quorum present.

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

SENATE SERVICES REPORT

Senate Services Correctly revised: HB 00-1107, 1183, 1209, 1227, 1270, 1302, 1427, 1431, 1440, 1448, 1455, 1466, 1470, 1473, 1479.

COMMITTEE OF REFERENCE REPORTS

Health, Environment, Welfare and Institutions After consideration on the merits, the committee recommends that HB00-1221 be amended as follows and, as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend reengrossed bill, page 2, line 26, strike "INCLUDE A" and substitute "PROVIDE BASIC PRIMARY AND ACUTE CARE".

Page 3, line 1, strike "BASIC, PREDETERMINED SET OF";

line 5, after "TO", insert "APPOINT AN ADVISORY COMMITTEE AND TO";

line 7, after "PROGRAM.", insert "THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING SHALL DESIGN THE HEALTH AND MEDICAL CARE PROGRAM SO THAT IT NEED NOT PROVIDE FULL COVERAGE BUT WILL PROVIDE A PROGRAM OF BASIC PRIMARY SERVICES TO ELIGIBLE PERSONS. THE HEALTH AND MEDICAL CARE PROGRAM SHALL BE DESIGNED TO COVER AS MANY ELIGIBLE PERSONS AS POSSIBLE UNDER THE BUDGETARY LIMIT AND WITHIN AVAILABLE APPROPRIATIONS.";

line 13, strike "PREDEFINED";

line 20, strike "two hundred fifty" and substitute "five hundred";

line 21, strike "(\$250,000)" and substitute "(\$500,000)".

Page 4, line 1, strike "two hundred fifty" and substitute "five hundred";

line 2, strike "(\$250,000)" and substitute "(\$500,000)";

line 4, strike "two";

strike line 5 and substitute "five hundred thousand dollars (\$500,000).".

Health,  
Environment,  
Welfare and  
Institutions

After consideration on the merits, the committee recommends that HB00-1076 be amended as follows and, as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend reengrossed bill, page 3, line 10, strike "2003" and substitute "2002".

Page 4, line 3, strike "OR" and substitute "OF";

line 16, after "ASSISTANCE.", insert "THE RATES OF REIMBURSEMENT, THE NUMBER OF WOMEN TO WHOM CARE IS PROVIDED, AND THE TOTAL AMOUNT OF MONEY REIMBURSED TO EACH HOSPITAL SHALL BE PUBLIC INFORMATION.".

Page 5, line 10, strike "2003" and substitute "2002".

Health,  
Environment,  
Welfare and  
Institutions

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee on Appropriations: HB00-1074

Health,  
Environment,  
Welfare and  
Institutions

After consideration on the merits, the committee recommends that the following be postponed indefinitely: SJR00-029

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:

HB 00-1437 by Rep. George; Sen. Chlouber--Rural Transportation Authorities

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

Third Reading Amendment No. 1, by Senator Lacy

Amend revised bill, page 3, strike lines 18 and 19 and substitute the following:

"Statutes, are amended to read:";

strike lines 24 through 26.

Strike pages 4 and 5.

Page 6, strike lines 1 through 3.

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

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	N	Musgrave	N	Tanner	Y
Andrews	N	Feeley	Y	Nichol	Y	Tebedo	N
Arnold	N	Hernandez	Y	Owen	N	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
Chlouber	Y	Lacy	Y	Perlmutter	Y	Wattenberg	Y
Congrove	N	Lamborn	N	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.

IMMEDIATE RECONSIDERATION OF HB00-1437, AS AMENDED

Having voted on the prevailing side, Senator Blickensderfer moved for reconsideration of HB00-1437, as amended.

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

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 00-1437 by Rep. George; Sen. Chlouber--Rural Transportation Authorities

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

YES	27	NO	8	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	N	Musgrave	N	Tanner	Y
Andrews	N	Feeley	Y	Nichol	Y	Tebedo	N
Arnold	Y	Hernandez	Y	Owen	N	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
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	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: Arnold, Hernandez, Matsunaka, Rupert.

THIRD READING OF BILLS--FINAL PASSAGE-CONTINUED

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

HB 00-1261 by Rep. Johnson; Senator Anderson--State Parks Board Fee-setting Authority

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	N	Tanner	Y
Andrews	N	Feeley	Y	Nichol	Y	Tebedo	N
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	N	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	N
Epps	N	Matsunaka	Y	Sullivan	N		

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

HB 00-1432 by Rep. Berry; Senator Lacy--Suicide Prevention Programs

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

YES	34	NO	1	EXCUSED	0	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	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-sponsors added: Anderson, Chlouber, Dennis, Hernandez, Linkhart, Martinez, Pascoe, Perlmutter, Phillips, Reeves, Rupert.

HB 00-1431 by Rep. Scott; Senator Dennis--Water & Wastewater Facility Operators

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: Hernandez.

HB 00-1448 by Rep. Stengel; Senator Wattenberg--DOW License Fee Increase

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

YES	33	NO	2	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	N
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	N		

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

Co-sponsors added: Chlouber, Hernandez, Nichol.

HB 00-1455 by Rep. Leyba; Senator Wham--Raise Penalties On Child Labor Violators

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

YES	33	NO	2	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	N	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	N
Epps	Y	Matsunaka	Y	Sullivan	Y		

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

Co-sponsors added: Anderson, Hernandez, Martinez, Nichol, Reeves.

HB 00-1427 by Rep. Webster; Senator Owen--Smart Growth

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

YES	34	NO	1	EXCUSED	0	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	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-sponsors added: Dyer, Hernandez, Martinez, Sullivant, Teck.

HB 00-1183 by Rep. Vigil; Senator Martinez--Regulation Of Boxing

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

YES	31	NO	4	EXCUSED	0	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	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	N		

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

Co-sponsors added: Chlouber, Dyer, Feeley, Hernandez, Wattenberg, Weddig.

HB 00-1479 by Rep. May; Senator Dennis--Excise Tax On Gasoline & Special Fuel

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	Sullivant	Y		

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

Co-sponsor added: Hillman.

HB 00-1107 by Rep. Kaufman; Senator Wham--Substantive Criminal Omnibus

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

YES	32	NO	3	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	Y	Weddig	Y
Dennis	Y	Linkhart	Y	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: Hernandez, Powers, Tebedo.

HB 00-1440 by Rep. Pfiffner; Senator Hillman--Taxation Relating To The Internet

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

YES	33	NO	2	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	N
Dennis	N	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: Congrove, Evans, Lacy, Musgrave, Tebedo.

HB 00-1227 by Rep. King; Senator Congrove--Motor Vehicle Registration Fees

Laid over until later in the day, May 1.

HB 00-1473 by Rep. McPherson; Sen. Lamborn--Valuation Of Public Utilities

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	Sullivant	Y		

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

HB 00-1470 by Rep. McPherson; Senator Lacy--Reduce Tax On Greyhound Race Proceeds

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	N	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	N	Hillman	Y	Pascoe	N	Thiebaut	N
Chlouber	Y	Lacy	Y	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	N	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, Congrove, Hillman, Martinez, Powers, Tebedo, Wattenberg.

HB 00-1302 by Rep. Kaufman; Senator Matsunaka--Low-Income Housing Owner Tax Credit

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

YES	34	NO	1	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	N	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	Sullivant	Y		

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

Co-sponsors added: Blickensderfer, Dyer, Epps, Hernandez, Linkhart, Martinez, Nichol, Pascoe, Reeves, Rupert, Tanner, Tebedo, Thiebaut.

IMMEDIATE RECONSIDERATION OF HB00-1302

Having voted on the prevailing side, Senator Blickensderfer moved for reconsideration of HB00-1302.

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

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 00-1302 by Rep. Kaufman; Senator Matsunaka--Low-Income Housing Owner Tax Credit

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

YES	27	NO	7	EXCUSED	1	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	N	Pascoe	Y	Thiebaut	N
Chlouber	Y	Lacy	Y	Perlmutter	*	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	Sullivan	N		

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

\* Abstaining from voting under Senate Rule 17(c)--Senator Perlmutter.

Co-sponsors added: Blickensderfer, Dyer, Epps, Feeley, Hernandez, Linkhart, Martinez, Nichol, Pascoe, Phillips, Reeves, Rupert, Tanner, Tebedo, Weddig.

HB 00-1270 by Rep. Miller; Senator Chlouber--Taxation Of Motor Vehicles

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

YES	30	NO	5	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	Y	Weddig	N
Dennis	Y	Linkhart	N	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	N	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivan	Y		

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

Co-sponsors added: Arnold, Congrove, Evans, Hernandez, Lacy, Lamborn, Musgrave, Powers, Tebedo.

HB 00-1209 by Rep. Pfiffner; Senator Andrews--Expand Capital Gains Modification

Laid over until later in the day, May 1.

HB 00-1466 by Rep. Stengel; Sen. Blickensderfer--Insurance Fraud

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-sponsors added: Hernandez, Tebedo.

SCR 00-010 by Sen. Tanner; Rep. Paschall--General Assembly Term Limits

Call of Senate.  
Call Raised.

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

YES	23	NO	12	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	N	Musgrave	N	Tanner	Y
Andrews	N	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	N	Teck	N
Blickensderfer	N	Hillman	N	Pascoe	Y	Thiebaut	Y
Chlouber	N	Lacy	Y	Perlmutter	Y	Wattenberg	Y
Congrove	N	Lamborn	N	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	Y		

Less than a constitutional two-thirds majority of all members elected to the Senate having voted in the affirmative, the resolution was declared LOST.

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 Senate Resolution00-008.

CONSIDERATION OF RESOLUTION

SR 00-008 by Sector Thiebaut--Concerning recognition of the month of May as Mental Health Month.  
(Printed in Senate Journal, April 13, pages 974-975.)

On motion of Senator Thiebaut, the Resolution was adopted by the following roll call vote:

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	Sullivant	Y		

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

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

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 House amendments to Senate Bill00-084.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB 00-084 by Sen. Chlouber; Rep. Spence--Multistate Lottery Games

Senator Chlouber moved that the Senate concur in House amendments to SB00-084, as printed in House Journal, April 26, pages 1810-1811. The motion was adopted by the following roll call vote:



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		

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

YES	21	NO	14	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	N	Tanner	Y
Andrews	N	Feeley	Y	Nichol	Y	Tebedo	N
Arnold	N	Hernandez	Y	Owen	Y	Teck	N
Blickensderfer	Y	Hillman	N	Pascoe	N	Thiebaut	Y
Chlouber	Y	Lacy	Y	Perlmutter	Y	Wattenberg	Y
Congrove	N	Lamborn	N	Phillips	Y	Weddig	N
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	N
Dyer	Y	Martinez	Y	Rupert	N	Mr. President	N
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 REPASSED.

IMMEDIATE RECONSIDERATION OF SB00-084

SB 00-084 by Sen. Chlouber; Rep. Spence--Multistate Lottery Games

Having voted on the prevailing side, Senator Chlouber moved for immediate reconsideration of SB00-084

Reconsideration was denied by the following roll call vote:

YES	14	NO	21	EXCUSED	0	ABSENT	0
Anderson	N	Evans	N	Musgrave	Y	Tanner	N
Andrews	Y	Feeley	N	Nichol	N	Tebedo	Y
Arnold	Y	Hernandez	N	Owen	N	Teck	Y
Blickensderfer	N	Hillman	Y	Pascoe	Y	Thiebaut	N
Chlouber	N	Lacy	N	Perlmutter	N	Wattenberg	N
Congrove	Y	Lamborn	Y	Phillips	N	Weddig	Y
Dennis	N	Linkhart	N	Reeves	N	Wham	Y
Dyer	N	Martinez	N	Rupert	Y	Mr. President	Y
Epps	N	Matsunaka	N	Sullivan	Y		

Committee of the Whole

On motion of Senator Wattenberg, the Senate resolved itself into Committee of the Whole for consideration of General Orders and Senator Wattenberg 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 00-231 by Sen. Teck; Rep. Tool--Organization Of School Districts

Laid on the table.

On motion of Senator Blickensderfer, and with a majority of those elected to the Senate having voted in the affirmative, HB00-1361 was advanced on the General Orders calendar.

HB 00-1361 by Rep. George; Senator Blickensderfer--Individual Development Accounts

(Chairman of the Committee of the Whole ruled that the Finance Committee amendment, as printed in Senate Journal, April 19, pages 1056-1060, did not fit under the title of the bill.)

Amendment No. 1, Appropriations Committee Amendment  
(Printed in Senate Journal, April 26, page 1162-1163.)

Amendment No. 2, by Senator Pascoe

Amend reengrossed bill, page 10, line 3, strike "(3)" and substitute "(4)".

Page 11, after line 10, insert the following:

"(3) (a) IF, BASED ON THE FINANCIAL REPORT PREPARED BY THE CONTROLLER IN ACCORDANCE WITH SECTION 24-77-106.5, C.R.S., THE CONTROLLER CERTIFIES THAT THE AMOUNT OF STATE REVENUES FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2000, EXCEEDS THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY SECTION 20 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION FOR THAT FISCAL YEAR BY LESS THAN ONE HUNDRED NINETY MILLION DOLLARS, THEN THE CREDIT AUTHORIZED BY SUBSECTION (1) OF THIS SECTION SHALL NOT BE ALLOWED FOR THE INCOME TAX YEAR COMMENCING ON JANUARY 1, 2001.

(b) IF, BASED ON THE FINANCIAL REPORT PREPARED BY THE CONTROLLER IN ACCORDANCE WITH SECTION 24-77-106.5, C.R.S., THE CONTROLLER CERTIFIES THAT THE AMOUNT OF STATE REVENUES FOR ANY STATE FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2001, EXCEEDS THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY SECTION 20 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION FOR THAT FISCAL YEAR BY LESS THAN ONE HUNDRED NINETY MILLION DOLLARS, AS ADJUSTED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (3), THEN THE CREDIT AUTHORIZED BY SUBSECTION (1) OF THIS SECTION SHALL NOT BE ALLOWED FOR THE INCOME TAX YEAR IN WHICH THE STATE FISCAL YEAR ENDED.

(c) (I) NO LATER THAN OCTOBER 1 OF ANY GIVEN CALENDAR YEAR COMMENCING ON OR AFTER JANUARY 1, 2001, THE EXECUTIVE DIRECTOR SHALL ANNUALLY ADJUST THE DOLLAR AMOUNT SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (3) TO REFLECT THE RATE OF GROWTH OF COLORADO PERSONAL INCOME FOR THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH SUCH ADJUSTMENT IS MADE. FOR PURPOSES OF THIS SUBPARAGRAPH (I), THE "RATE OF GROWTH OF COLORADO PERSONAL INCOME" MEANS THE PERCENTAGE CHANGE BETWEEN THE MOST RECENTLY PUBLISHED ANNUAL ESTIMATE OF TOTAL PERSONAL INCOME FOR COLORADO, AS DEFINED AND OFFICIALLY REPORTED BY THE BUREAU OF ECONOMIC ANALYSIS IN THE UNITED STATES DEPARTMENT OF COMMERCE, FOR THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH THE ADJUSTMENT IS MADE AND THE MOST RECENTLY PUBLISHED ANNUAL ESTIMATE OF TOTAL PERSONAL INCOME FOR COLORADO, AS DEFINED AND OFFICIALLY REPORTED BY THE BUREAU OF ECONOMIC ANALYSIS IN THE UNITED STATES DEPARTMENT OF COMMERCE, FOR THE CALENDAR YEAR PRIOR TO THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH THE ADJUSTMENT IS MADE.

(II) UPON CALCULATING THE ADJUSTMENT OF THE DOLLAR AMOUNT IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH (c), THE EXECUTIVE DIRECTOR SHALL NOTIFY IN WRITING THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL, CREATED PURSUANT TO SECTION 2-3-301 (1), C.R.S., OF THE ADJUSTED DOLLAR AMOUNT AND THE BASIS FOR THE ADJUSTMENT. SUCH WRITTEN NOTIFICATION SHALL BE GIVEN WITHIN FIVE WORKING DAYS AFTER SUCH CALCULATION IS COMPLETED, BUT SUCH WRITTEN NOTIFICATION SHALL BE GIVEN NO LATER THAN OCTOBER 1 OF THE CALENDAR YEAR.

(III) IT IS THE FUNCTION OF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL TO REVIEW AND APPROVE OR DISAPPROVE THE ADJUSTMENT OF THE DOLLAR AMOUNT CALCULATED BY THE EXECUTIVE DIRECTOR PURSUANT TO THIS PARAGRAPH (c) WITHIN TWENTY DAYS AFTER RECEIPT OF THE WRITTEN NOTIFICATION FROM THE EXECUTIVE DIRECTOR. ANY ADJUSTMENT THAT IS NOT APPROVED OR DISAPPROVED BY THE

EXECUTIVE COMMITTEE WITHIN THE TWENTY DAYS SHALL BE AUTOMATICALLY APPROVED; EXCEPT THAT, IF THE EXECUTIVE COMMITTEE SCHEDULES A HEARING ON SUCH ADJUSTMENT WITHIN THE TWENTY-DAY PERIOD, SUCH AUTOMATIC APPROVAL SHALL NOT OCCUR UNLESS THE EXECUTIVE COMMITTEE DOES NOT APPROVE OR DISAPPROVE SUCH ADJUSTMENT AFTER THE CONCLUSION OF SUCH HEARING. ANY HEARING CONDUCTED BY THE EXECUTIVE COMMITTEE PURSUANT TO THIS SUBPARAGRAPH (III) SHALL BE CONCLUDED NO LATER THAN TWENTY-FIVE DAYS AFTER RECEIPT OF THE WRITTEN NOTIFICATION FROM THE EXECUTIVE DIRECTOR PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH (c).

(IV) (A) IF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL DISAPPROVES ANY ADJUSTMENT OF THE DOLLAR AMOUNT CALCULATED BY THE EXECUTIVE DIRECTOR PURSUANT TO THIS PARAGRAPH (c), THE EXECUTIVE COMMITTEE SHALL SPECIFY SUCH ADJUSTED DOLLAR AMOUNT TO BE UTILIZED BY THE EXECUTIVE DIRECTOR. ANY ADJUSTED DOLLAR AMOUNT SPECIFIED BY THE EXECUTIVE COMMITTEE PURSUANT TO THIS SUB-SUBPARAGRAPH (A) SHALL BE CALCULATED IN ACCORDANCE WITH THE PROVISIONS OF THIS PARAGRAPH (c).

(B) FOR THE PURPOSE OF DETERMINING WHETHER THE CREDIT AUTHORIZED BY SUBSECTION (1) OF THIS SECTION IS TO BE ALLOWED FOR ANY GIVEN INCOME TAX YEAR, THE EXECUTIVE DIRECTOR SHALL NOT UTILIZE ANY ADJUSTED DOLLAR AMOUNT THAT HAS NOT BEEN APPROVED PURSUANT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH (c) OR OTHERWISE SPECIFIED PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (IV).

(V) IF ONE OR MORE BALLOT QUESTIONS ARE SUBMITTED TO THE VOTERS AT A STATEWIDE ELECTION TO BE HELD IN NOVEMBER OF ANY CALENDAR YEAR COMMENCING ON OR AFTER JANUARY 1, 2000, THAT SEEK AUTHORIZATION FOR THE STATE TO RETAIN AND SPEND ALL OR ANY PORTION OF THE AMOUNT OF EXCESS STATE REVENUES FOR THE STATE FISCAL YEAR ENDING DURING SUCH CALENDAR YEAR, THE EXECUTIVE DIRECTOR SHALL NOT DETERMINE WHETHER THE CREDIT AUTHORIZED BY SUBSECTION (1) OF THIS SECTION SHALL BE ALLOWED AND SHALL NOT PROMULGATE RULES CONTAINING SUCH CREDIT UNTIL THE IMPACT OF THE RESULTS OF THE ELECTION ON THE AMOUNT OF THE EXCESS STATE REVENUES TO BE REFUNDED IS ASCERTAINED."

Renumber succeeding subsections accordingly.

Page 11, line 12, strike "(5)" and substitute "(6)";  
line 20, strike "(7)" and substitute "(8)".

Page 13, line 17, strike "(6)," and substitute "(7),".

As amended, laid over until later in the day, May 1.

Senator Blickensderfer moved that the Committee of the Whole rise, report progress and beg leave to sit again. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

On motion of Senator Wattenberg, 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:

SB00-231, laid on the table.  
HB00-1361, as amended, laid over until later in the day, May 1, retaining its place on the calendar.

COMMITTEE OF REFERENCE REPORTS

Agriculture,  
Natural  
Resources  
and Energy

After consideration on the merits, the committee recommends that the following be postponed indefinitely: HB00-1487

MESSAGE FROM THE HOUSE

May 1, 2000

Mr. President:

The House has postponed indefinitely SCR00-007. The bill is returned herewith.

The House has adopted and transmits herewith HJR00-1045, as printed in House Journal, April 13, pages 1512-1513.

The House has adopted and transmits herewith HJR00-1033, as printed in House Journal, April 13, page 1461-1462, and amended as printed in House Journal, May 1.

The House has adopted the First Report of the First Conference Committee on HB00-1208, as printed in House Journal, April 28, pages 1877-1878, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB00-1268, as printed in House Journal, April 28, pages 1878-1881, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB00-1336, as printed in House Journal, April 28, pages 1881-1882, and has repassed the bill as amended.

Senate in recess.

Senate reconvened.

Call of  
Senate

Call of Senate.  
  
Call Raised.

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: HB00-1489

Business  
Affairs  
and Labor

The Committee returns herewith House Bill 00-1043 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.

Business  
Affairs  
and Labor

The Committee returns herewith House Bill 00-1447 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.

Agriculture,  
Natural  
Resources  
and Energy

After consideration on the merits, the committee recommends that HB00-1493 be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation:  
  
Amend reengrossed bill, page 3, line 7, strike "THE TYPES OF";  
  
line 8, strike "AND";

line 11, strike "ARTICLE." and substitute "ARTICLE;";

after line 11, insert the following:

"(IV) THE PROCESSING OF ANY HAZARDOUS WASTE OR ACUTE HAZARDOUS WASTE PURSUANT TO ANY RECORD OF DECISION, CONSENT DECREE, OR ADMINISTRATIVE ORDER OF CONSENT AUTHORIZED BY OR MADE PURSUANT TO APPLICABLE FEDERAL OR STATE LAWS AND REGULATIONS, OR ANY REVISION OR AMENDMENT THEREOF, OR ANY RECORD OF DECISION ISSUED PURSUANT TO A PERIODIC REVISION OF A RECORD OF DECISION, MADE ON OR BEFORE JULY 1, 1999;

(V) PERFORMING ON-SITE PROCESSING OR TREATMENT OF HAZARDOUS WASTE ASSOCIATED WITH EFFORTS TO CLEAN UP CONTAMINATED SOIL, GROUNDWATER, OR SURFACE WATER PURSUANT TO FEDERAL OR STATE ENVIRONMENTAL LAWS; AND

(VI) THE PROCESSING OF HAZARDOUS WASTE INCIDENTAL TO COMMERCIAL MANUFACTURING.";

line 13, strike "PROCESSING." and substitute "PROCESSING, AND SUCH PROCESSING IS REQUIRED TO HAVE A PART B PERMIT OR INTERIM STATUS UNDER REGULATIONS OF THE COMMISSION PROMULGATED PURSUANT TO SECTION 25-15-302.".

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

HJR 00-1033 by Representatives Spence, Alexander, Clapp, Hefley, Johnson, King, Lawrence, Lee, Nunez, Paschall, Spradley, Webster, Witwer, May, Allen, Dean, Decker, Fairbank, Gagliardi, Kester, McKay, McPherson, Miller, Mitchell, Morrison, Sinclair, Smith, Stengel, Tool, Williams S., Williams T.; also Senators Teck, Blickensderfer, Andrews, Arnold, Epps, Evans, Lamborn--Concerning opposition to the use of marijuana for medicinal purposes.  
(Printed in House Journal, April 13, pages 1461-1462.)

Laid over one day under Senate Rule 30(e), and placed on the calendar of Friday, May 1.

HJR 00-1045 by Representative Vigil; also Senator Phillips--Concerning the proclamation of Saturday, July 15, 2000, as "Plan de Salud del Valle Day" in Colorado.  
(Printed in House Journal, April 13, pages 1512-1513.)

Laid over one day under Senate Rule 30(e), and placed on the calendar of Friday, May 1.

Senate in recess.

Senate reconvened.

Call of Senate  
Call of Senate.  
Call Raised.

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the committee recommends that HB00-1492 be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 4, line 1, strike "Weld county and" and substitute "~~Weld county and~~";

line 2, strike "Larimer county portions of the" and substitute "~~Larimer county portions of the~~";

line 13, after "program.", add "THE PIKES PEAK REGIONAL COUNCIL OF GOVERNMENTS MAY OPT TO EXCLUDE THE EL PASO COUNTY PORTION OF THE BASIC PROGRAM AREA FROM THE CLEAN SCREEN PROGRAM IF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT RECEIVES WRITTEN NOTIFICATION FROM THE PIKES PEAK REGIONAL COUNCIL OF GOVERNMENTS TO SUCH EFFECT BY SEPTEMBER 1, 2000.".

Page 7, line 16, after "(5)," insert "THE CONTRACTOR SHALL SEND";

line 17, strike "shall be sent" and substitute "~~shall be sent~~";

line 21, strike "return" and substitute "~~return~~ PRESENT";

line 22, strike "contractor" and substitute "~~contractor~~ COUNTY CLERK UPON REGISTRATION OR REREGISTRATION OF THE VEHICLE";

line 24, strike "be notified" and substitute "~~be notified~~ NOTIFY THE DEPARTMENT OF REVENUE".

Page 8, line 20, strike "INSPECTION" and substitute "REINSPECTION";

line 22, after "THAT", insert "FAILED ITS FIRST ENHANCED EMISSIONS INSPECTION IN SUCH REGISTRATION CYCLE AND THAT".

Page 10, line 12, strike "A NEW SUBPARAGRAPH" and substitute "THE FOLLOWING NEW SUBPARAGRAPHS".

Page 11, after line 16, insert the following:

"(IV) (A) EFFECTIVE JANUARY 1, 2001, IN ADDITION TO ANY OTHER FEE IMPOSED BY THIS SECTION, COUNTY CLERKS SHALL COLLECT, AT THE TIME OF REGISTRATION, AN EMISSIONS INSPECTION FEE OF FIVE DOLLARS ON EVERY MOTOR VEHICLE REQUIRED TO BE REGISTERED IN THE BASIC PROGRAM AREA AS DEFINED IN SECTION 42-4-304 (2) IF SUCH CLERKS HAVE RECEIVED A NOTICE FROM THE DEPARTMENT OF REVENUE STATING THAT SUCH VEHICLE DOES NOT NEED A TEST OR IF THE OWNER OF SUCH VEHICLE PROVIDES PROOF TO SUCH CLERK THAT THE VEHICLE COMPLIES WITH THE REQUIREMENTS OF THE BASIC EMISSIONS PROGRAM. COUNTY CLERKS SHALL TRANSMIT SUCH FEE TO THE STATE TREASURER, WHO SHALL DEPOSIT THE SAME IN A PASS-THROUGH TRUST ACCOUNT TO BE HELD IN TRUST SOLELY FOR THE PURPOSES AND THE BENEFICIARY SPECIFIED IN THIS SUB-SUBPARAGRAPH (A). COMMENCING JANUARY 1, 2001, MONEYS FROM SUCH TRUST ACCOUNT SHALL BE PAID OUT MONTHLY TO THE CONTRACTOR OF THE CONTRACT AUTHORIZED IN SECTION 42-4-307 (6) (c) IN ACCORDANCE WITH THE FEE TO BE CHARGED PER BASIC EMISSIONS INSPECTION ESTABLISHED IN SECTION 42-4-311 (4) WITHIN ONE WEEK AFTER RECEIPT BY THE DEPARTMENT OF REVENUE OF A NOTIFICATION FROM THE CONTRACTOR OF THE NUMBER OF BASIC EMISSIONS INSPECTIONS COMPLETED BY THE CONTRACTOR IN THE PREVIOUS MONTH.

(B) THIS SUBPARAGRAPH (IV) IS REPEALED, EFFECTIVE DECEMBER 31, 2005.".

Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1125</u>
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1076</u>
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1491</u>
Appropriations	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1034</u>

Appropriations

After consideration on the merits, the committee recommends that the following be postponed indefinitely: HB00-1074

1  
2  
3

Appropriations

After consideration on the merits, the committee recommends that the following be postponed indefinitely: HB00-1221

4  
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**MESSAGE FROM THE HOUSE:**

May 1, 2000

Mr. President:

In response to the request of the Senate, the Speaker has appointed Representatives Mitchell, chairman, Fairbank, and Tochtrop as House conferees on the First Conference Committee on SB00-177.

**MESSAGE FROM THE HOUSE:**

May 1, 2000

Mr. President:

The House has voted to concur in the Senate amendments to HB00-1124,1169, 1174,1183,1232,1318,1345,1371,1375,1389,1417,1422,1433,1434,1456,1460, 1463,1465, and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB00-1052 and requests that a conference committee be appointed. The Speaker has appointed Representatives McPherson, chairman,Tool and Saliman as House conferees on the First Conference Committee on HB00-1052. The House has granted authorization to go beyond the scope of the differences. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB00-1053 and requests that a conference committee be appointed. The Speaker has appointed Representatives Mitchell, chairman, Tool, and Saliman as House conferees on the First Conference Committee on HB00-1053. The House has granted authorization to go beyond the scope of the differences. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB00-1063 and requests that a conference committee be appointed. The Speaker has appointed Representatives Young, chairman, McPherson, and Saliman as House conferees on the First Conference Committee on HB00-1063. The House has granted authorization to go beyond the scope of the differences. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB00-1071 and requests that a conference committee be appointed. The Speaker has appointed Representatives Tool, chairman, Berry, and Bacon as House conferees on the First Conference Committee on HB00-1071. The House has granted authorization to go beyond the scope of the differences. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB00-1103 and requests that a conference committee be appointed. The Speaker has appointed Representatives Spradley, chairman, McPherson, and Saliman as House conferees on the First Conference Committee on HB00-1103. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB00-1257 and requests that a conference committee be appointed. The Speaker has appointed Representatives Pfiffner, chairman, King, and Bacon as House conferees on the First Conference Committee on HB00-1257. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB00-1259 and requests that a conference committee be appointed. The Speaker has appointed Representatives McPherson, chairman, Tool, and Saliman as House conferees on the First Conference Committee on HB00-1259. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB00-1351 and requests that a conference committee be appointed. The Speaker has appointed Representatives Hefley, chairman, McPherson, and Saliman as House conferees on the First Conference

Committee on HB00-1351. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB00-1355 and requests that a conference committee be appointed. The Speaker has appointed Representatives King, chairman, McPherson, and Saliman as House conferees on the First Conference Committee on HB00-1355. The House has granted authorization to go beyond the scope of the differences. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB00-1419 and requests that a conference committee be appointed. The Speaker has appointed Representatives Young, chairman, Smith, and Miller as House conferees on the First Conference Committee on HB00-1419. The bill is transmitted herewith.

The House has adopted the First Report of the First Conference Committee on SB00-156, as printed in House Journal, May 1, pages 1932-1933, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on SB00-196, as printed in House Journal, May 1, page 1912 and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on SB00-197, as printed in House Journal, May 1, page 1934 and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted and transmits herewith HJR00-1049, as printed in House Journal, April 13, pages 1518-1519.

The House has adopted and returns herewith SJR00-016.

FIRST REPORT OF FIRST CONFERENCE COMMITTEE  
ON SB00-196

\*\*\*\*\*  
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 SB00-196, concerning the requirement that subdivision regulations of local governments ensure the provision of adequate public utility service in the development of subdivisions, 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 2, strike lines 1 and 2 and substitute the following:

"(e) EVIDENCE";

strike line 7 and substitute the following:

"SUBMISSION OF A LETTER OF AGREEMENT BETWEEN THE SUBDIVIDER AND UTILITY SERVING THE SITE SHALL BE DEEMED";

strike lines 16 and 17 and substitute the following:

"C.R.S., SUBMIT TO THE COMMISSION EVIDENCE THAT";

strike line 22 and substitute the following:

"SUBMISSION OF A LETTER OF AGREEMENT BETWEEN THE SUBDIVIDER AND UTILITY SERVING THE SITE SHALL BE DEEMED".

Respectfully submitted,



Senate Committee:  
(Signed)  
Sen. Dave Wattenberg, Chairman  
Sen. Jim Congrove  
Sen. Ed Perlmutter

House Committee:  
(Signed)  
Rep. Russell George, Chairman  
Rep. Joseph Stengel  
Rep. Robert Hagedorn

FIRST REPORT OF FIRST CONFERENCE COMMITTEE  
ON SB00-156

\*\*\*\*\*  
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 SB00-156, concerning the distribution of taxes collected on aviation fuel that are credited to the aviation fund, and in connection therewith, modifying the definition of aviation purposes, has met and reports that it has agreed upon the following:

That the Senate accede to the House amendments made to the bill, as the amendments appears in the rerevised bill, with the following change:

Amend rerevised bill, page 3, line 7, strike "BY THE ADDITION OF A NEW PARAGRAPH";

strike lines 8 through 15 and substitute the following:

- "43-10-102. Definitions.** As used in this article, unless the context otherwise requires:
- (3) (a) "Aviation purposes" means any objective that provides direct and indirect benefits to the state aviation system and includes, but is not limited to:
    - (a) (I) Any work involved in constructing, planning, or repairing a public airport or portion thereof and may include any work involved in constructing or maintaining access roads;
    - (b) (II) The removal, lowering, relocation, and marking and lighting of any hazard to the safe operation of aircraft utilizing federal rules and regulations as guidelines for determining such hazards;
    - (c) (III) The acquisition of navigational aids used by aircraft landing at or taking off from such airport;
    - (d) (IV) The acquisition of safety equipment necessary for the enhancement of the state aviation system;
    - (e) (V) Any research study, proposal, or plan for the expansion, location, or distribution of aviation facilities or resources that are directly related to the state aviation system;
    - (f) (VI) The promotion of economic development which is related to the promotion, development, operation, or maintenance of the state aviation system;
    - (g) (VII) Any acquisition of land, of any interest therein, or of any easement through or other interest in airspace, including land for future airport development, which is necessary to permit any such work or to remove, mitigate, prevent, or limit the establishment of any hazard to the safe operation of aircraft; and
    - (h) (VIII) Any informal education or training made available to the public concerning aviation in the state or any informational materials for dissemination to the public concerning aviation.
  - (b) SUBSIDIZATION OF AIRLINES IS EXPRESSLY PROHIBITED AS AN AVIATION PURPOSE EXCEPT FOR THE PROMOTION AND MARKETING OF AIR SERVICE AT AIRPORT FACILITIES."

Respectfully submitted,

Senate Committee:  
(Signed)  
Sen. Ginette Dennis, Chairman  
Sen. Peggy Reeves  
Sen. Ken Arnold

House Committee:  
(Signed)  
Rep. Matt Smith, Chairman  
Rep. Mark Larson  
Rep. Carl Miller

FIRST REPORT OF FIRST CONFERENCE COMMITTEE  
ON SB00-197

\*\*\*\*\*  
THIS REPORT ADOPTS THE  
REREVISED BILL  
\*\*\*\*\*

To the President of the Senate and the  
Speaker of the House of Representatives:

Your first conference committee appointed on SB00-197, concerning decisions made by governmental entities regarding applications by public utilities for the siting of major public service facilities, has met and reports that it has agreed upon the following:

That the Senate accede to the House amendments made to the bill and that the rerevised bill be adopted without change.

Respectfully submitted,

Senate Committee:  
(Signed)  
Sen. Dave Wattenberg, Chairman  
Sen. Ken Chlouber

House Committee:  
(Signed)  
Rep. Russell George, Chairman  
Rep. Joseph Stengel  
Rep. Bob Hagedorn

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 SJR00-006, SJR00-013, SJR00-023, SJR00-024, SJR00-026, SJR00-028, SJR00-014.

CONSIDERATION OF RESOLUTIONS

SJR 00-006 by Sen. Wattenberg; Rep. Young--Fish Recovery-Water Project Construction

On motion of Senator Wattenberg, the Resolution was adopted by the following roll call vote:

YES	26	NO	0	EXCUSED	9	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	E	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	E	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	E
Dennis	Y	Linkhart	E	Reeves	E	Wham	Y
Dyer	Y	Martinez	E	Rupert	E	Mr. President	Y
Epps	Y	Matsunaka	E	Sullivan	E		

Co-sponsors added: Blickensderfer, Chlouber, Dyer, Evans, Hernandez, Pascoe.

SJR 00-013 by Sen. Musgrave; Rep. Hoppe--Funding Asbestos Abatement Fort Morgan High School

On motion of Senator Musgrave, the Resolution was adopted by the following roll call vote:

YES	27	NO	0	EXCUSED	8	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	E	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	E
Dennis	Y	Linkhart	E	Reeves	E	Wham	Y
Dyer	Y	Martinez	E	Rupert	E	Mr. President	Y
Epps	Y	Matsunaka	E	Sullivan	E		

Co-sponsors added: Anderson, Chlouber, Congrove, Dennis, Feeley, Hernandez, Nichol, Owen, Pascoe, Powers, Rupert, Tanner, Thiebaut, Wattenberg.

SJR 00-023 by Sen. Dyer; Rep. Sinclair--USERRA

On motion of Senator Dyer, the Resolution was adopted by the following roll call vote:

YES	28	NO	0	EXCUSED	7	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	E	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	E
Dennis	Y	Linkhart	E	Reeves	E	Wham	Y
Dyer	Y	Martinez	E	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	E	Sullivan	E		

Co-sponsors added: Anderson, Dennis, Feeley, Hernandez, Musgrave, Rupert, Teck.

SJR 00-024 by Sen. Blickensderfer; Rep. Gotlieb--Character Education

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

YES	28	NO	0	EXCUSED	7	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	E	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	E
Dennis	Y	Linkhart	E	Reeves	E	Wham	Y
Dyer	Y	Martinez	E	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	E	Sullivan	E		

Co-sponsors added: Andrews, Chlouber, Dennis, Evans, Hernandez, Powers.

SJR 00-026 by Sen. Owen; Rep. Sinclair--Korean War 50<sup>th</sup> Anniversary

Laid over until Wednesday, May 3, retaining its place on the calendar.

SJR 00-028 by Sen. Dennis; Rep. Kester--Trinidad State Junior College 75<sup>th</sup> Anniversary

On motion of Senator Dennis, the Resolution was adopted by the following roll call vote:

YES	29	NO	0	EXCUSED	6	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	E	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	E
Dennis	Y	Linkhart	E	Reeves	E	Wham	Y
Dyer	Y	Martinez	E	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	E	Sullivan	Y		

Co-sponsors added: Anderson, Andrews, Arnold, Blickensderfer, Chlouber, Congrove, Dyer, Epps, Evans, Feeley, Hernandez, Hillman, Lacy, Lamborn, Musgrave, Nichol, Owen, Pascoe, Phillips, Powers, Rupert, Sullivant, Tanner, Tebedo, Teck, Thiebaut, Wattenberg, Wham.

SJR 00-014 by Sen. Chlouber; Rep. Miller--Highway 24 Special Designation

On motion of Senator Chlouber, the Resolution was adopted by the following roll call vote:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	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	E
Dennis	Y	Linkhart	Y	Reeves	E	Wham	Y
Dyer	Y	Martinez	E	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivant	Y		

Co-sponsors added: Dennis, Evans, Feeley, Powers, Thiebaut.

On motion of Senator Blickensderfer, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB00-1162, HB00-1171, HB00-1104, HB00-1361, HB00-1215, HB00-1481, HB00-1482, HB00-1430, HB00-1219, HB00-1490 were made Special Orders at 7:00 p.m.

Committee of the Whole
The hour of 7:00 p.m. having arrived, Senator Wattenberg moved that the Senate resolve itself into Committee of the Whole for consideration of Special Orders and Senator Wattenberg was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS--7:00 P.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 00-1162 by Rep. Alexander; Senator Musgrave--Exempt Agric Items Sales & Use Tax

Amendment No. 1, Agriculture, Natural Resources and Energy Committee Amendment (Printed in Senate Journal, April 13, pages 972-973.)

Amendment No. 2, by Senator Musgrave

Amend Agriculture, Natural Resources, and Energy Committee amendment, as printed in Senate Journal, April 13, page 972, strike lines 62 through 65.

Page 973 of the Senate Journal, strike lines 5 and 6 and substitute the following:

"line 15, strike "(II).'" and substitute "(II), ALL SHIPPING PALLETS OR AIDS PAID FOR BY A FARM OPERATION, AND AIRCRAFT DESIGNED OR ADAPTED TO UNDERTAKE AGRICULTURAL APPLICATIONS.'";";

strike lines 14 and 15 of the Senate Journal and substitute the following:

"line 8, strike "(II).'" and substitute "(II), ALL SHIPPING PALLETS OR AIDS PAID FOR BY A FARM OPERATION, AND AIRCRAFT DESIGNED OR ADAPTED TO UNDERTAKE AGRICULTURAL APPLICATIONS.'";";

strike lines 25 through 29 of the Senate Journal and substitute the following:

"Page 11, line 22, strike "EQUIPMENT,'" and substitute "EQUIPMENT, ALL SHIPPING PALLETS OR AIDS PAID FOR BY A FARM OPERATION, AND AIRCRAFT DESIGNED OR ADAPTED TO UNDERTAKE AGRICULTURAL APPLICATIONS,'" .

"Page 12, line 20, strike "EQUIPMENT," and substitute "EQUIPMENT, ALL SHIPPING PALLETS OR AIDS PAID FOR BY A FARM OPERATION, AND AIRCRAFT DESIGNED OR ADAPTED TO UNDERTAKE AGRICULTURAL APPLICATIONS,"."

Amendment No. 3, by Senator Musgrave

Amend the Agriculture, Natural Resources and Energy Committee amendment, as printed in Senate Journal, April 13, page 973, after line 29, insert the following:

"Page 13, strike lines 8 through 16 and substitute the following:

**"SECTION 8.** 39-26-123 (2) (a) (I), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUB-SUBPARAGRAPH to read:

(A.5) COMMENCING AUGUST 1, 2000, THE ALLOCATION OF RECEIPTS UNDER SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (I) TO THE HIGHWAY USERS TAX FUND SHALL BE INCREASED BY FIFTEEN ONE-THOUSANDTHS OF A PERCENTAGE POINT, AND THE ALLOCATION TO THE GENERAL FUND SHALL BE DECREASED BY FIFTEEN ONE-THOUSANDTHS OF A PERCENTAGE POINT, PURSUANT TO HOUSE BILL 00-1162, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SECOND GENERAL ASSEMBLY. THE MODIFICATIONS TO THE ALLOCATION OF RECEIPTS MADE PURSUANT TO THIS SUB-SUBPARAGRAPH (A.5) SHALL BE IN ADDITION TO ANY OTHER MODIFICATIONS TO THE ALLOCATION OF SUCH RECEIPTS MADE BY LAW.

**SECTION 9. Effective date - applicability.** This act shall take effect July 1, 2000, and shall apply to all sales and purchases, storage, use, or consumption that occurs on or after said date.

**SECTION 10. 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."."

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

HB 00-1104 by Rep. Williams T.; Senator Owen--Tax Credit For Costs Of Health Benefits

Amendment No. 1, Finance Committee Amendment  
(Printed in Senate Journal, April 18, page 1041.)

Amendment No. 2, Appropriations Committee Amendment  
(Printed in Senate Journal, April 25, page 1114.)

Amendment No. 3, by Senator Lamborn

Amend the Finance Committee amendment, as printed in Senate Journal, April 18, page 1041, strike line 29 and substitute the following:

"Amend reengrossed bill, page 1, line 7, strike "SECTION," and substitute "SECTION AND SUBJECT TO THE PROVISIONS OF SUBSECTION (6) OF THIS SECTION,".

Page 2, line 16, after "(I)", insert "(A)";";

line 37, after "INDIVIDUAL", insert "WITH NO DEPENDENTS";

line 38, strike "ONE HUNDRED" and substitute "TWENTY-FIVE THOUSAND DOLLARS FOR";

strike line 39;

line 43, after "INDIVIDUALS", insert "WITH NO DEPENDENTS", and strike "RETURN," and substitute "RETURN OR TWO MARRIED RESIDENT INDIVIDUALS WITH NO DEPENDENTS FILING SEPARATE RETURNS";

line 44, strike "ONE HUNDRED" and substitute "THIRTY THOUSAND

DOLLARS FOR";

strike line 45;

line 47, strike "CLAIMED."." and substitute "CLAIMED.";"

after line 47, insert the following:

"(C) FOR A RESIDENT INDIVIDUAL WITH DEPENDENTS FILING A SINGLE RETURN, TWO RESIDENT INDIVIDUALS WITH DEPENDENTS FILING A JOINT RETURN, OR TWO MARRIED RESIDENT INDIVIDUALS WITH DEPENDENTS FILING SEPARATE RETURNS, THE RESIDENT INDIVIDUALS' FEDERAL ADJUSTED GROSS INCOME DOES NOT EXCEED THIRTY-FIVE THOUSAND DOLLARS FOR THE CALENDAR YEAR IMMEDIATELY PRECEDING THE INCOME TAX YEAR FOR WHICH THE CREDIT IS BEING CLAIMED.".";

after line 47, insert the following:

"Page 3, after line 21, insert the following:

"(c) NO MORE THAN ONE CREDIT AUTHORIZED BY THIS SECTION SHALL BE ALLOWED FOR ANY ONE HOUSEHOLD.".";

strike lines 49 through 57 and substitute the following:

"Page 4, after line 12, insert the following:

"(6) (a) IF, BASED ON THE FINANCIAL REPORT PREPARED BY THE CONTROLLER IN ACCORDANCE WITH SECTION 24-77-106.5, C.R.S., THE CONTROLLER CERTIFIES THAT THE AMOUNT OF STATE REVENUES FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 1999, EXCEEDS THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY SECTION 20 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION FOR THAT STATE FISCAL YEAR BY LESS THAN FOUR HUNDRED MILLION DOLLARS, THEN THE CREDIT AUTHORIZED BY SUBSECTION (1) OF THIS SECTION SHALL NOT BE ALLOWED FOR THE INCOME TAX YEAR COMMENCING ON JANUARY 1, 2000.

(b) IF, BASED ON THE FINANCIAL REPORT PREPARED BY THE CONTROLLER IN ACCORDANCE WITH SECTION 24-77-106.5, C.R.S., THE CONTROLLER CERTIFIES THAT THE AMOUNT OF STATE REVENUES FOR ANY STATE FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2000, EXCEEDS THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY SECTION 20 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION FOR THAT STATE FISCAL YEAR BY LESS THAN FOUR HUNDRED MILLION DOLLARS, AS ADJUSTED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (6), THEN THE CREDIT AUTHORIZED BY SUBSECTION (1) OF THIS SECTION SHALL NOT BE ALLOWED FOR THE INCOME TAX YEAR IN WHICH SAID FISCAL YEAR ENDED.

(c) (I) NO LATER THAN OCTOBER 1 OF ANY GIVEN CALENDAR YEAR COMMENCING ON OR AFTER JANUARY 1, 2001, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE SHALL ANNUALLY ADJUST THE DOLLAR AMOUNT SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (6) TO REFLECT THE RATE OF GROWTH OF COLORADO PERSONAL INCOME FOR THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH SUCH ADJUSTMENT IS MADE. FOR PURPOSES OF THIS SUBPARAGRAPH (I), "THE RATE OF GROWTH OF COLORADO PERSONAL INCOME" MEANS THE PERCENTAGE CHANGE BETWEEN THE MOST RECENT PUBLISHED ANNUAL ESTIMATE OF TOTAL PERSONAL INCOME FOR COLORADO, AS DEFINED AND OFFICIALLY REPORTED BY THE BUREAU OF ECONOMIC ANALYSIS IN THE UNITED STATES DEPARTMENT OF COMMERCE FOR THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH THE ADJUSTMENT IS MADE AND THE MOST RECENT PUBLISHED ANNUAL ESTIMATE OF TOTAL PERSONAL INCOME FOR COLORADO, AS DEFINED AND OFFICIALLY REPORTED BY THE BUREAU OF ECONOMIC ANALYSIS IN THE UNITED STATES DEPARTMENT OF COMMERCE FOR THE CALENDAR YEAR PRIOR TO THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH THE ADJUSTMENT IS MADE.

(II) UPON CALCULATING THE ADJUSTMENT OF SAID DOLLAR AMOUNT IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH (c), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE SHALL NOTIFY IN WRITING THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE

COUNCIL CREATED PURSUANT TO SECTION 2-3-301 (1), C.R.S., OF THE ADJUSTED DOLLAR AMOUNT AND THE BASIS FOR THE ADJUSTMENT. SUCH WRITTEN NOTIFICATION SHALL BE GIVEN WITHIN FIVE WORKING DAYS AFTER SUCH CALCULATION IS COMPLETED, BUT SUCH WRITTEN NOTIFICATION SHALL BE GIVEN NO LATER THAN OCTOBER 1 OF THE CALENDAR YEAR.

(III) IT IS THE FUNCTION OF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL TO REVIEW AND APPROVE OR DISAPPROVE SUCH ADJUSTMENT OF SAID DOLLAR AMOUNT WITHIN TWENTY DAYS AFTER RECEIPT OF SUCH WRITTEN NOTIFICATION FROM THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE. ANY ADJUSTMENT THAT IS NOT APPROVED OR DISAPPROVED BY THE EXECUTIVE COMMITTEE WITHIN SAID TWENTY DAYS SHALL BE AUTOMATICALLY APPROVED; EXCEPT THAT, IF WITHIN SAID TWENTY DAYS THE EXECUTIVE COMMITTEE SCHEDULES A HEARING ON SUCH ADJUSTMENT, SUCH AUTOMATIC APPROVAL SHALL NOT OCCUR UNLESS THE EXECUTIVE COMMITTEE DOES NOT APPROVE OR DISAPPROVE SUCH ADJUSTMENT AFTER THE CONCLUSION OF SUCH HEARING. ANY HEARING CONDUCTED BY THE EXECUTIVE COMMITTEE PURSUANT TO THIS SUBPARAGRAPH (III) SHALL BE CONCLUDED NO LATER THAN TWENTY-FIVE DAYS AFTER RECEIPT OF SUCH WRITTEN NOTIFICATION FROM THE EXECUTIVE DIRECTOR.

(IV) (A) IF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL DISAPPROVES ANY ADJUSTMENT OF SAID DOLLAR AMOUNT CALCULATED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE PURSUANT TO THIS PARAGRAPH (c), THE EXECUTIVE COMMITTEE SHALL SPECIFY SUCH ADJUSTED DOLLAR AMOUNT TO BE UTILIZED BY THE EXECUTIVE DIRECTOR. ANY ADJUSTED DOLLAR AMOUNT SPECIFIED BY THE EXECUTIVE COMMITTEE PURSUANT TO THIS SUB-SUBPARAGRAPH (A) SHALL BE CALCULATED IN ACCORDANCE WITH THE PROVISIONS OF THIS PARAGRAPH (c).

(B) FOR THE PURPOSE OF DETERMINING WHETHER THE CREDIT AUTHORIZED BY SUBSECTION (1) OF THIS SECTION IS TO BE ALLOWED FOR ANY GIVEN INCOME TAX YEAR, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE SHALL NOT UTILIZE ANY ADJUSTED DOLLAR AMOUNT THAT HAS NOT BEEN APPROVED PURSUANT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH (c) OR OTHERWISE SPECIFIED PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (IV).

(V) IF ONE OR MORE BALLOT QUESTIONS ARE SUBMITTED TO THE VOTERS AT A STATEWIDE ELECTION TO BE HELD IN NOVEMBER OF ANY CALENDAR YEAR COMMENCING ON OR AFTER JANUARY 1, 2000, THAT SEEK AUTHORIZATION FOR THE STATE TO RETAIN AND SPEND ALL OR ANY PORTION OF THE AMOUNT OF EXCESS STATE REVENUES FOR THE STATE FISCAL YEAR ENDING DURING SAID CALENDAR YEAR, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE SHALL NOT DETERMINE WHETHER THE CREDIT AUTHORIZED BY SUBSECTION (1) OF THIS SECTION SHALL BE ALLOWED AND SHALL NOT PROMULGATE RULES CONTAINING SAID CREDIT UNTIL THE IMPACT OF THE RESULTS OF SAID ELECTION OF THE AMOUNT OF EXCESS STATE REVENUES TO BE REFUNDED IS ASCERTAINED."."

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

HB 00-1361 by Rep. George; Senator Blickensderfer--Individual Development Accounts (Amended in General Orders as printed in Senate Journal, May 1, page 1262-1263.)

Amendment No. 1, by Senator Blickensderfer

Amend the Pascoe floor amendment, as printed in Senate Journal, May 1, page 1262, before line 12, insert the following:

"Amend reengrossed bill, page 9, line 15, strike "(1)," and substitute "(1) AND IN SUBSECTION (3) OF THIS SECTION,"."

line 12, strike "Amend reengrossed bill, page" and substitute "Page".

Page 1263, after line 47, insert the following:

"Page 14, line 5, strike "SECTION. RULES OF THE EXECUTIVE DIRECTOR" and substitute "SECTION";".

line 6, strike "SHALL BE PROMULGATED";

strike lines 7 and 8 and substitute the following:

"C.R.S.". "

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

HB 00-1481 by Rep. George; Senator Powers--Environmental Self-audit Pilot Project

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

HB 00-1482 by Rep. Mitchell--Local Improvement Districts

Amendment No. 1, Local Government Committee Amendment  
(Printed in Senate Journal, April 27, page 1212.)

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

HB 00-1430 by Rep. Stengel; Senator Teck--Create Advanced Technology Fund For CCHE

Laid over until the next General Orders calendar of May 1, retaining its place on the calendar.

HB 00-1219 by Rep. Decker--School Accreditation & Assessments

Amendment No. 1, Education Committee Amendment  
(Printed in Senate Journal, April 27, page 1189.)

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

HB 00-1490 by Rep. George; Senator Powers--Modif Of SB 97-1 Diversion

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

HB 00-1171 by Rep. Taylor; also Senator Blickensderfer--Income Tax Modif For Int Div & Cap Gains

Amendment No. 1, Appropriations Committee Amendment  
(Printed in Senate Journal, April 25, pages 1112-1114.)

Amendment No. 2, by Senator Blickensderfer

Amend Appropriations Committee amendment, as printed in Senate Journal, April 25, page 1113, line 12, strike "\_\_\_\_" and substitute "THREE HUNDRED THIRTY".

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

HB 00-1215 by Rep. Gotlieb; Senator Arnold--State Contributions For Group Benefits

Laid over until the next General Orders calendar of May 1, retaining its place on the calendar.



AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB 00-1361 by Rep. George; Senator Blickensderfer--Individual Development Accounts

Senator Teck moved to amend the Report of the Committee of the Whole to show that the Finance Committee amendment, printed in Senate Journal, May 1, pages 1262-1263, to HB00-1361, as amended, did pass.

The motion was declared LOST by the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Anderson	N	Evans	Y	Musgrave	Y	Tanner	N
Andrews	Y	Feeley	N	Nichol	N	Tebedo	Y
Arnold	Y	Hernandez	N	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	N	Thiebaut	N
Chlouber	Y	Lacy	Y	Perlmutter	N	Wattenberg	N
Congrove	Y	Lamborn	Y	Phillips	N	Weddig	N
Dennis	N	Linkhart	N	Reeves	N	Wham	N
Dyer	N	Martinez	N	Rupert	N	Mr. President	N
Epps	Y	Matsunaka	N	Sullivan	Y		

HB 00-1219 by Rep. Decker--School Accreditation & Assessments

Senator Hillman moved to amend the Report of the Committee of the Whole to show that the Hillman floor amendment to HB00-1219, as amended, did pass.

The motion was declared LOST by the following roll call vote:

YES	12	NO	23	EXCUSED	0	ABSENT	0
Anderson	N	Evans	Y	Musgrave	Y	Tanner	N
Andrews	Y	Feeley	N	Nichol	N	Tebedo	Y
Arnold	Y	Hernandez	N	Owen	N	Teck	Y
Blickensderfer	N	Hillman	Y	Pascoe	N	Thiebaut	N
Chlouber	Y	Lacy	Y	Perlmutter	N	Wattenberg	N
Congrove	Y	Lamborn	Y	Phillips	N	Weddig	N
Dennis	N	Linkhart	N	Reeves	N	Wham	N
Dyer	N	Martinez	N	Rupert	N	Mr. President	N
Epps	Y	Matsunaka	N	Sullivan	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Wattenberg, 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:

HB00-1481, HB00-1490 declared passed on Second Reading.  
HB00-1162, as amended; HB00-1361, as amended; HB00-1104, as amended; HB00-1482, as amended; HB00-1219, as amended; HB00-1171, as amended, declared passed on Second Reading.  
HB00-1430, HB00-1215 laid over until the General Orders calendar of May 1 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 Senate proceeded out of order for Consideration of SJR00-015, SJR00-032, SJR00-022.

CONSIDERATION OF RESOLUTIONS

SJR 00-015 by Sen. Owen; Rep. Dean--Interim Study Legislative Reforms

Amendment No. 1, Judiciary Committee Amendment  
(Printed in Senate Journal, April 25, page 1112.)

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

On motion of Senator Owen, the Resolution, as amended, was adopted by the following roll call vote:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	N
Andrews	Y	Feeley	N	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	N
Blickensderfer	N	Hillman	N	Pascoe	N	Thiebaut	N
Chlouber	Y	Lacy	Y	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	N	Weddig	Y
Dennis	N	Linkhart	Y	Reeves	N	Wham	Y
Dyer	Y	Martinez	Y	Rupert	N	Mr. President	Y
Epps	Y	Matsunaka	N	Sullivant	Y		

SJR 00-032 by Senator Dennis; Rep. Lawrence--Concerning welcoming the Congressional Medal of Honor Society to Pueblo.

On motion of Senator Dennis, the Resolution was adopted by the following roll call vote:

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	Sullivant	Y		

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

SJR 00-022 by Sen. Linkhart; Rep. McPherson--Importance of Fathers to Children

On motion of Senator Linkhart, the Resolution was adopted by the following roll call vote:

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	Sullivant	Y		

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

### CONSIDERATION OF MEMORIAL

SJM 00-002 by Senator Teck; Representative Smith--Memorializing the members of the Congress of the United States to dedicate the Old Spanish Trail and the northern branch of the Old Spanish Trail as an historic trail.

On motion of Senator Teck, the Resolution was adopted by the following roll call vote:

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	Sullivant	Y		

Co-sponsors added: Anderson, Andrews, Arnold, Blickensderfer, Congrove, Dennis, Epps, Evans, Feeley, Hernandez, Hillman, Lacy, Lamborn, Linkhart, Martinez, Matsunaka, Musgrave, Nichol, Owen, Pascoe, Perlmutter, Phillips, Powers, Reeves, Rupert, Sullivant, Tanner, Tebedo, Thiebaut, Wattenberg, Weddig, Wham.

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, HB00-1464, HB00-1458, HB00-1215, HB00-1492, HB00-1468, HB00-1098, HB00-1472, HB00-1435, HB00-1489 were made Special Orders at 8:40 p.m.

Committee of the Whole The hour of 8:40 p.m. having arrived, Senator Wattenberg moved that the Senate resolve itself into Committee of the Whole for consideration of Special Orders and Senator Wattenberg was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS--8:40 P. 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 00-1464 by Rep. Allen--Higher Ed Admissions & Basic Skills  
Ordered revised and placed on the calendar for Third Reading and Final Passage.

HB 00-1458 by Rep. Dean; Senator Owen--PERA Benefit Changes  
Ordered revised and placed on the calendar for Third Reading and Final Passage.

HB 00-1215 by Rep. Gotlieb; Senator Arnold--State Contributions For Group Benefits  
Amendment No. 1, Appropriations Committee Amendment  
(Printed in Senate Journal, April 27, page 1188.)  
As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

HB 00-1492 by Rep. Paschall; Senator Wham--Clean Screen in Enhanced Program Area  
Amendment No. 1, Appropriations Committee Amendment  
(Printed in Senate Journal, May 1, pages 1265-1266.)  
Amendment No. 2, by Senator Wham  
Amend reengrossed bill, page 11, line 3, strike "(6) (c)" and substitute "(10.5)".  
As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

HB 00-1468 by Rep. Paschall; Senator Lamborn--Prohibit Use Of Fetal Tissue  
Amendment No. 1, by Senators Lamborn and Wham  
Amend reengrossed bill, page 2, line 6, strike "Use" and substitute "Transfer";  
line 7, strike "declaration - prohibited uses. (1) (a)" and substitute "declaration. (1)";

strike lines 9 through 11;  
line 12, strike "COLORADO. THE" and substitute "THE";  
line 14, strike "FETAL TISSUE FOR" and substitute "HUMAN FETAL TISSUE FOR VALUABLE";  
line 16, before "FETAL", insert "HUMAN";  
line 17, before "CONSIDERATION", insert "VALUABLE";  
strike lines 22 through 26.  
Page 3, line 3, before "CONSIDERATION", insert "VALUABLE";  
line 6, strike ""CONSIDERATION"" and substitute ""VALUABLE CONSIDERATION"".  
Page 4, line 4, after "IMPLEMENT", insert "SUBSECTIONS (2) AND (3) OF".

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

HB 00-1098 by Rep. Johnson; Senator Dennis--Wildlife Habitat Improvement  
Amendment No. 1, Agriculture, Natural Resources and Energy Committee Amendment  
(Printed in Senate Journal, April 25, page 1110.)  
Amendment No. 2, by Senator Dennis  
Amend reengrossed bill, page 6, line 2, strike "SUCH" and substitute "VOUCHERS FOR SUCH";  
line 4, strike "LICENSES" and substitute "VOUCHERS".

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

HB 00-1472 by Rep. George; Senator Powers--Public Discl Of Elec Act By Issue Comm  
Amendment No. 1, State, Veterans, and Military Affairs Committee Amendment  
(Printed in Senate Journal, April 27, page 1189.)  
Amendment No. 2, by Senator Powers  
Amend the State, Veterans, and Military Affairs Committee amendment, as printed in Senate Journal, April 27, page 1189, line 30, strike "so".

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

HB 00-1435 by Rep. Kaufman; Senator Lamborn--UCC Article 9  
Amendment No. 1, Business Affairs and Labor Committee Amendment  
(Printed in Senate Journal, April 26, pages 1148-1150.)  
Amendment No. 2, by Senator Lamborn  
Amend reengrossed bill, page 182, line 16, after "WISHES", insert "TO CONTRACT WITH A PERSON".

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

HB 00-1489 by Rep. Williams T.; Senator Blickensderfer--Domestic And Foreign Entities

Amendment No. 1, by Senator Blickensderfer

Amend reengrossed bill, page 76, before line 1, insert the following:

"SECTION 108. 6-1-804 (1) (a), Colorado Revised Statutes, as enacted by House Bill 00-1347, enacted at the Second Regular Session of the Sixty-second General Assembly, is amended to read:

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~~ THIRTY-SEVEN AND ONE-HALF 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".

Renumber succeeding sections accordingly.

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

ROLL CALL VOTE ON HB00-1464

HB 00-1464 by Rep. Allen--Higher Ed Admissions & Basic Skills

On the request of Senator Martinez, the President ordered a roll call vote on HB00-1464.

Call of Senate.

Call Raised.

YES	19	NO	15	EXCUSED	0	ABSENT	1
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	N
Andrews	Y	Feeley	N	Nichol	N	Tebedo	Y
Arnold	Y	Hernandez	N	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	N	Thiebaut	N
Chlouber	Y	Lacy	Y	Perlmutter	N	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	N	Weddig	N
Dennis	Y	Linkhart	A	Reeves	N	Wham	N
Dyer	N	Martinez	N	Rupert	N	Mr. President	Y
Epps	Y	Matsunaka	N	Sullivan	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Wattenberg, 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:

HB00-1464, HB00-1458 declared passed on Second Reading.  
HB00-1215, as amended; HB00-1492, as amended; HB00-1468, as amended;  
HB00-1098, as amended; HB00-1472, as amended; HB00-1435, as amended;  
HB00-1489, as amended, declared passed on Second Reading.

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:

HB 00-1227 by Rep. King; Senator Congrove--Motor Vehicle Registration Fees

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

Third Reading Amendment No. 1, by Senator Teck

Amend revised bill, page 20, strike line 26 and substitute "OR GREATER THAN THREE HUNDRED SEVENTY MILLION DOLLARS.".

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

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

YES	28	NO	6	EXCUSED	0	ABSENT	1
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	N	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	Y	Weddig	N
Dennis	Y	Linkhart	A	Reeves	Y	Wham	N
Dyer	Y	Martinez	Y	Rupert	N	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, as amended, was declared PASSED.

Co-sponsors added: Andrews, Arnold, Chlouber, Dennis, Epps, Hillman, Lacy, Lamborn, Musgrave, Owen, Powers, Tebedo, Wattenberg.

HB 00-1209 by Rep. Pfiffner; Senator Andrews--Expand Capital Gains Modification

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

Third Reading Amendment No. 1, by Senator Andrews

Amend revised bill, page 2, line 4, strike "~~that was acquired on or after May 9;~~";

line 5, strike "~~1994, and~~" and substitute "that was acquired on or after May 9, 1994, and";

line 10, strike "~~was acquired on or after May 9;~~";

line 11, strike "~~1994, and~~" and substitute "was acquired on or after May 9, 1994, and";

line 16, strike "~~that was acquired before May 9, 1994, and~~" and substitute "that was acquired before May 9, 1994, and".

Page 3, line 6, strike "~~was acquired before May 9, 1994, and~~" and substitute "was acquired before May 9, 1994, and";

line 21, strike "THAT WAS ACQUIRED";

line 22, strike "AND".

Page 4, line 15, strike "WAS ACQUIRED AND".

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

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

Third Reading Amendment No. 2, by Senator Teck

Amend revised bill, page 1, line 2, after "(5) (a),", insert "(5) (b) (I), (5) (b) (II),".

Page 5, line 7, strike "1999," and substitute "~~1999~~ 1998, BUT BEFORE JULY 1, 2000,";

line 12, strike "~~or~~ (D), (E), OR (F)" and substitute "or (D)";

after line 14, insert the following:

"(b) (I) No later than October 1 of ~~any given~~ THE calendar year commencing on ~~or after~~ January 1, 2000, the executive director of the department of revenue shall ~~annually~~ adjust the dollar amount specified in paragraph (a) of this subsection (5) to reflect the rate of growth of Colorado personal income for the calendar year ~~immediately preceding the calendar year in which such adjustment is made~~ THAT COMMENCED ON JANUARY 1, 1999. For purposes of this subparagraph (I), "the rate of growth of Colorado personal income" means the percentage change between the most recent published annual estimate of total personal income for Colorado, as defined and officially reported by the bureau of economic analysis in the United States department of commerce for the calendar year ~~immediately preceding the calendar year in which the adjustment is made~~ THAT COMMENCED ON JANUARY 1, 1999, and the most recent published annual estimate of total personal income for Colorado, as defined and officially reported by the bureau of economic analysis in the United States department of commerce for the calendar year ~~prior to the calendar year immediately preceding the calendar year in which the adjustment is made~~ THAT COMMENCED ON JANUARY 1, 1998.

(II) Upon calculating the adjustment of said dollar amount in accordance with subparagraph (I) of this paragraph (b), the executive director shall notify in writing the executive committee of the legislative council created pursuant to section 2-3-301 (1), C.R.S., of the adjusted dollar amount and the basis for the adjustment. Such written notification shall be given within five working days after such calculation is completed, but such written notification shall be given no later than October 1, ~~of the calendar year 2000.~~";

line 17, strike "~~or~~ (D), (E), OR (F)" and substitute "or (D)";

line 24, strike "any" and substitute "~~any~~ THE";

line 25, strike "or after" and substitute "~~or after~~".

Page 6, line 4, strike "~~or~~ (D), (E), OR (F)" and substitute "or (D)";

after line 19, insert the following:

**"SECTION 2.** 39-22-518 (5), Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS to read:

(c) IF, BASED ON THE FINANCIAL REPORT PREPARED BY THE CONTROLLER IN ACCORDANCE WITH SECTION 24-77-106.5, C.R.S., THE CONTROLLER CERTIFIES THAT THE AMOUNT OF STATE REVENUES FOR ANY STATE FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2000, EXCEEDS THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY SECTION 20 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION FOR THAT FISCAL YEAR BY LESS THAN FOUR HUNDRED THIRTY MILLION DOLLARS, AS ADJUSTED PURSUANT TO PARAGRAPH (d) OF THIS SUBSECTION (5), THEN ANY MODIFICATION FOR QUALIFYING GAINS RECEIVING CAPITAL TREATMENT AUTHORIZED BY SUB-SUBPARAGRAPH (E) OR (F) OF SUBPARAGRAPH (I) OF PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION SHALL NOT BE ALLOWED FOR THE INCOME TAX YEAR IN WHICH SAID STATE FISCAL YEAR ENDED.

(d) (I) NO LATER THAN OCTOBER 1 OF ANY GIVEN CALENDAR YEAR COMMENCING ON OR AFTER JANUARY 1, 2001, THE EXECUTIVE DIRECTOR SHALL ANNUALLY ADJUST THE DOLLAR AMOUNT SPECIFIED IN PARAGRAPH (c) OF THIS SUBSECTION (5) TO REFLECT THE RATE OF GROWTH OF

COLORADO PERSONAL INCOME FOR THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH SUCH ADJUSTMENT IS MADE. FOR PURPOSES OF THIS SUBPARAGRAPH (I), "THE RATE OF GROWTH OF COLORADO PERSONAL INCOME" MEANS THE PERCENTAGE CHANGE BETWEEN THE MOST RECENT PUBLISHED ANNUAL ESTIMATE OF TOTAL PERSONAL INCOME FOR COLORADO, AS DEFINED AND OFFICIALLY REPORTED BY THE BUREAU OF ECONOMIC ANALYSIS IN THE UNITED STATES DEPARTMENT OF COMMERCE FOR THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH THE ADJUSTMENT IS MADE AND THE MOST RECENT PUBLISHED ANNUAL ESTIMATE OF TOTAL PERSONAL INCOME FOR COLORADO, AS DEFINED AND OFFICIALLY REPORTED BY THE BUREAU OF ECONOMIC ANALYSIS IN THE UNITED STATES DEPARTMENT OF COMMERCE FOR THE CALENDAR YEAR PRIOR TO THE CALENDAR YEAR IMMEDIATELY PRECEDING THE CALENDAR YEAR IN WHICH THE ADJUSTMENT IS MADE.

(II) UPON CALCULATING THE ADJUSTMENT OF SAID DOLLAR AMOUNT IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH (d), THE EXECUTIVE DIRECTOR SHALL NOTIFY IN WRITING THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL CREATED PURSUANT TO SECTION 2-3-301 (1), C.R.S., OF THE ADJUSTED DOLLAR AMOUNT AND THE BASIS FOR THE ADJUSTMENT. SUCH WRITTEN NOTIFICATION SHALL BE GIVEN WITHIN FIVE WORKING DAYS AFTER SUCH CALCULATION IS COMPLETED, BUT SUCH WRITTEN NOTIFICATION SHALL BE GIVEN NO LATER THAN OCTOBER 1 OF THE CALENDAR YEAR.

(III) IT IS THE FUNCTION OF THE EXECUTIVE COMMITTEE TO REVIEW AND APPROVE OR DISAPPROVE SUCH ADJUSTMENT OF SAID DOLLAR AMOUNT WITHIN TWENTY DAYS AFTER RECEIPT OF SUCH WRITTEN NOTIFICATION FROM THE EXECUTIVE DIRECTOR. ANY ADJUSTMENT THAT IS NOT APPROVED OR DISAPPROVED BY THE EXECUTIVE COMMITTEE WITHIN SAID TWENTY DAYS SHALL BE AUTOMATICALLY APPROVED; EXCEPT THAT, IF WITHIN SAID TWENTY DAYS THE EXECUTIVE COMMITTEE SCHEDULES A HEARING ON SUCH ADJUSTMENT, SUCH AUTOMATIC APPROVAL SHALL NOT OCCUR UNLESS THE EXECUTIVE COMMITTEE DOES NOT APPROVE OR DISAPPROVE SUCH ADJUSTMENT AFTER THE CONCLUSION OF SUCH HEARING. ANY HEARING CONDUCTED BY THE EXECUTIVE COMMITTEE PURSUANT TO THIS SUBPARAGRAPH (III) SHALL BE CONCLUDED NO LATER THAN TWENTY-FIVE DAYS AFTER RECEIPT OF SUCH WRITTEN NOTIFICATION FROM THE EXECUTIVE DIRECTOR.

(IV) IF THE EXECUTIVE COMMITTEE DISAPPROVES ANY ADJUSTMENT OF SAID DOLLAR AMOUNT CALCULATED BY THE EXECUTIVE DIRECTOR PURSUANT TO THIS PARAGRAPH (d), THE EXECUTIVE COMMITTEE SHALL SPECIFY SUCH ADJUSTED DOLLAR AMOUNT TO BE UTILIZED BY THE EXECUTIVE DIRECTOR. ANY ADJUSTED DOLLAR AMOUNT SPECIFIED BY THE EXECUTIVE COMMITTEE PURSUANT TO THIS SUBPARAGRAPH (IV) SHALL BE CALCULATED IN ACCORDANCE WITH THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (d).

(V) FOR THE PURPOSE OF DETERMINING WHETHER ANY MODIFICATION FOR QUALIFYING GAINS RECEIVING CAPITAL TREATMENT AUTHORIZED BY SUB-SUBPARAGRAPH (E) OR (F) OF SUBPARAGRAPH (I) OF PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION IS TO BE ALLOWED IN ANY GIVEN TAX YEAR, THE EXECUTIVE DIRECTOR SHALL NOT UTILIZE ANY ADJUSTED DOLLAR AMOUNT THAT HAS NOT BEEN APPROVED PURSUANT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH (d) OR OTHERWISE SPECIFIED PURSUANT TO SUBPARAGRAPH (IV) OF THIS PARAGRAPH (d).

(VI) IF ONE OR MORE BALLOT QUESTIONS ARE SUBMITTED TO THE VOTERS AT A STATEWIDE ELECTION TO BE HELD IN NOVEMBER OF ANY CALENDAR YEAR COMMENCING ON OR AFTER JANUARY 1, 2001, THAT SEEK AUTHORIZATION FOR THE STATE TO RETAIN AND SPEND ALL OR ANY PORTION OF THE AMOUNT OF EXCESS REVENUES FOR THE STATE FISCAL YEAR ENDING DURING SAID CALENDAR YEAR, THE EXECUTIVE DIRECTOR SHALL NOT DETERMINE WHETHER ANY MODIFICATION FOR QUALIFYING GAINS RECEIVING CAPITAL TREATMENT AUTHORIZED BY SUB-SUBPARAGRAPH (E) OR (F) OF SUBPARAGRAPH (I) OF PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION SHALL BE ALLOWED UNTIL THE IMPACT OF THE RESULTS OF SAID ELECTION ON THE AMOUNT OF THE EXCESS STATE REVENUES TO BE REFUNDED IS ASCERTAINED."



Renumber succeeding section accordingly.

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

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

YES 27		NO 7		EXCUSED 0		ABSENT 1	
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	N
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	Y	Weddig	N
Dennis	Y	Linkhart	A	Reeves	Y	Wham	N
Dyer	Y	Martinez	N	Rupert	N	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivant	Y		

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

Co-sponsors added: Congrove, Epps, Evans, Hillman, Lamborn, Musgrave, Owen, Powers, Tebedo.

RECONSIDERATION AND RECALL OF HB00-1395

HB 00-1395 by Rep. Smith; Sen. Blickensderfer--Information Policy Task Force

Senator Blickensderfer moved for the reconsideration and recall of HB00-1395.

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

RECONSIDERATION OF SB00-004

SB 00-004 by Sen. Matsunaka; Rep. Kaufman--Performance Grant Program For Schools

Senator Blickensderfer moved for reconsideration of SB00-004.

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

READOPTION OF SB00-004

SB 00-004 by Sen. Matsunaka; Rep. Kaufman--Performance Grant Program For Schools (Senate concurred in House amendments to SB00-004 as printed in House Journal, April 26, pages 1809-1810 and readopted the bill as printed in Senate Journal, April 28, page 1232. Reconsideration granted as printed above.)

Senator Blickensderfer moved for readoption of SB00-004.

On a substitute motion, Senator Matsunaka moved to lay over SB00-004 until Tuesday, May 2.

A majority of all members elected to the Senate having voted in the affirmative, the substitute motion was declared ADOPTED.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB 00-1330 by Rep. Gordon; Sen. Perlmutter--Cruelty To Animals

Senator Perlmutter moved that the Senate Conferees on the First Conference Committee on HB00-1330 be given the powers to go beyond the scope of the differences between the two Houses.

A majority of all members elected to the Senate having voted in the affirmative, the motion was adopted.

APPOINTMENTS TO CONFERENCE COMMITTEES

- HB

00-1071

by Rep. Bacon; Senator Matsunaka--DOW Land Acquisition

The President appointed Senators Wattenberg, Chairman, Chlouber and Matsunaka as Senate Conferees on the First Conference Committee on HB00-1071.
- HB

00-1063

by Rep. Young; Sen. Sullivant--Tax Credit Health Care Shortage Areas

The President appointed Senators Sullivant, Chairman, Chlouber and Dyer as Senate Conferees on the First Conference Committee on HB00-1063.
- HB

00-1052

by Rep. McPherson; Senator Feeley--Inst For Telecom Educ Contrib Credit

The President appointed Senators Andrews, Chairman, Teck and Feeley as Senate Conferees on the First Conference Committee on HB00-1052.
- HB

00-1419

by Rep. Young; Senator Dennis--CWCB Construction Fund Projects

The President appointed Senators Dennis, Chairman, Wattenberg and Dyer as Senate Conferees on the First Conference Committee on HB00-1419.
- HB

00-1355

by Rep. King; Senator Teck--High Technology Scholarships

The President appointed Senators Teck, Chairman, Hillman and Feeley as Senate Conferees on the First Conference Committee on HB00-1355.
- HB

00-1351

by Rep. Hefley; Sen. Musgrave--Increase Child Care Tax Credits

The President appointed Senators Musgrave, Chairman, Lamborn and Linkhart as Senate Conferees on the First Conference Committee on HB00-1351.
- HB

00-1259

by Rep. McPherson; Senator Teck--Reduce State Sales & Use Tax Rate

The President appointed Senators Teck, Chairman, Chlouber and Perlmutter as Senate Conferees on the First Conference Committee on HB00-1259.
- HB

00-1257

by Rep. Pfiffner; Senator Congrove--Pollution Control Tax Provisions

The President appointed Senators Congrove, Chairman, Andrews and Reeves as Senate Conferees on the First Conference Committee on HB00-1257.
- HB

00-1103

by Rep. Spradley; Senator Owen--Income Tax Rate Reduction

The President appointed Senators Owen, Chairman, Andrews and Phillips as Senate Conferees on the First Conference Committee on HB00-1103.
- HB

00-1053

by Rep. Mitchell; Senator Blickensderfer--Income Tax Deduction For Charity

The President appointed Senators Blickensderfer, Chairman, Congrove and Tanner as Senate Conferees on the First Conference Committee on HB00-1053.
- HCR

00-1001

by Rep. Fairbank; Senator Anderson--Allow Appointment of County Surveyors

The President appointed Senators Anderson, Chairman, Hillman and Reeves as Senate Conferees on the Second Conference Committee on HCR00-1001.

INTRODUCTION OF RESOLUTION

The following resolution was read by title:

- HJR

00-1049

by Representative Young; also Senator Hillman--Concerning the designation of the Sand Creek Massacre National Historic Site as a unit of the National Park System.  
(Printed in House Journal, April 13, pages 1518-1519.)

Laid over one day under Senate Rule 30(e), and placed on the calendar of Tuesday, May 2.

On motion of Senator Blickensderfer, and with a majority of those elected to the Senate  
having voted in the affirmative, the balance of the calendar of Monday, May 1, was laid  
over until Tuesday, May 2, retaining its place on the calendar.

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On motion of Senator Blickensderfer, the Senate adjourned until 9:00 a.m., Tuesday,  
May 2, 2000.

Approved:

Ray Powers  
President of the Senate

Attest:

Patricia K. Dicks  
Secretary of the Senate

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