

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

10th Legislative Day Friday, January 14, 2000

Call to Order	By the President at 9:00 a.m.
Prayer	By the chaplain, Reverend Glen Hamlyn, Rocky Mountain Cathedral, Denver.
Roll Call	Present--Total, 27. Absent/Excused--Anderson, Dyer, Epps, Lacy, Musgrave, Pascoe, Thiebaut, Wham--Total 8. Present later--Epps, Lacy, Pascoe.
Quorum	The President announced a quorum present.
Reading of Journal	On motion of Senator Andrews, reading of the Journal of Thursday, January 13 th was dispensed with and the Journal stands approved as corrected by the Secretary.
	SENATE SERVICES REPORT
Senate Services	Correctly printed: SB 00-121,122.
	COMMITTEE OF REFERENCE REPORTS
State, Veterans, and Military Affairs	After consideration on the merits, the committee recommends that <u>SB00-044</u> be amended as follows and, as so amended, be referred to the Committee on Appropriations with favorable recommendation: Amend printed bill, page 2, line 11, strike "SHALL" and substitute "MAY".
State, Veterans, and Military Affairs	The Committee on State, Veterans, and Military Affairs has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed: <u>MEMBERS OF THE</u> <u>STATE HOUSING BOARD</u> for a term expiring January 31, 2001: Rose A. Durham of Colorado Springs, Colorado, to serve as a representative of the Fifth Congressional District, as a Republican, and to fill a vacancy occasioned by the resignation of Dennis W. Jordan, appointed; for a term expiring January 31, 2003: Rick L. Padilla of Denver, Colorado, to serve as a representative of the First Congressional District and as a Democrat, appointed.
Judiciary	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>SB00-002</u>

Page 98	Senate Journal-10th Day-January 14, 2000	
Judiciary	The Committee on Judiciary has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	1 2 3
	<u>MEMBERS OF THE</u> <u>STATE BOARD OF PAROLE</u>	4 5
	effective July 1, 1999, for a term expiring July 1, 2002:	6 7
	Richard A. Martinez of Pueblo, Colorado, to serve as a citizen member, reappointed;	8 9
	Donald D. Alders of Denver, Colorado, to serve as a parole or probation officer, reappointed.	10 11 12 13 14
	effective September 16, 1999, for a term expiring July 1, 2002:	15
	Sharon K. Bartlett-Walker of Grand Junction, to serve as a representative of law enforcement, and as a Democrat, to replace Allen F. Stanley, of Littleton, a Republican, who resigned, appointed.	16 17 18 19 20 21
Judiciary	The Committee on Judiciary has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	22 23 24 25
	<u>YOUTH CRIME PREVENTION</u> <u>AND INTERVENTION PROGRAM BOARD</u>	26 27 28
	for a term expiring June 15, 2001:	29
	Byron P. Rayburn, of Littleton, Colorado, to serve as Republican, appointed.	30 31 32
	Mary Lou Jackson of Pueblo, Colorado, to serve as a Democrat; re-appointed.	33 34
	for a term expiring June 15, 2003:	35
	Barbara O'Brien of Denver, Colorado, to serve as a Democrat reappointed.	36 37 38 39 40
Judiciary	The Committee on Judiciary has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	41 42 43 44
	<u>JUVENILE PAROLE BOARD</u>	45
	effective May 10, 1999, for terms expiring at the pleasure of the Governor:	46 47 48
	Lynn E. Poos of Colorado Springs, Colorado, to serve as a public member, and to fill a vacancy occasioned by the resignation of Grant Jones, appointed;	49 50 51
	Mary V. McGhee of Denver, Colorado, to serve as a representative of the Department of Public Safety, replacing Ronald L. Adams, appointed;	52 53 54
	The Honorable Harry R. Sayre of Trinidad, Colorado, to serve as an elected local official, and to fill a vacancy occasioned by the resignation of the Honorable Richard A. Martinez, appointed.	55 56 57 58
	for terms expiring at the pleasure of the Governor:	59
	David C. Pimentel of Denver, Colorado, to serve as a representative of the Department of Education, appointed.	60 61 62 63 64
Committee of the Whole	On motion of Senator Hillman, the Senate resolved itself into Committee of the Whole for consideration of General Orders and Senator Hillman was called to the Chair to act as Chairman.	65 66 67 68 69 70 71 72

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 00-023 by Sen. Anderson; Rep. Hoppe--Hazard Substance Incident Reimbursement
Laid over until Monday, January 17, retaining its place on the calendar.

SB 00-017 by Sen. Blickensderfer; Rep. May--Auto Dealers Off-site Books & Records
Amendment No. 1, Transportation Committee Amendment
(Printed in Senate Journal, January 12, page 89.)

Amendment No. 1, by Senator Blickensderfer

Amend printed bill, page 2, strike line 8, and substitute the following:
"LOCATION AT LEAST THIRTY DAYS IN ADVANCE."

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hillman, 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:

SB00-017, as amended, declared passed on Second Reading.
SB00-023 laid over until Monday, January 17, retaining its place on the calendar.

CONSIDERATION OF RESOLUTIONS

SR 00-003 by Senators Blickensderfer, Powers, Feeley; --Concerning categories of senate committees.
Laid over until Monday, January 17, retaining its place on the calendar.

SR 00-005 by Senators Blickensderfer, Powers and Feeley--Concerning creation of a senate committee on ethics.
(Printed in Senate Journal, January 6, pages 60-61.)

Amendment No. 1, by Senator Perlmutter

Amend printed resolution, as printed in Senate Journal, January 6, page 61, line 25, strike "EXPULSION OF A SENATE";
strike lines 26 through 28 and substitute the following:

"PURSUANT TO THE AUTHORITY VESTED IN THE SENATE BY SECTION 12 OF ARTICLE V OF THE STATE CONSTITUTION, THE SENATE MAY EXPEL THE MEMBER IN QUESTION BY AN AFFIRMATIVE VOTE OF NO FEWER THAN TWO-THIRDS OF THE MEMBERS ELECTED TO THE SENATE, OR THE SENATE MAY REPRIMAND, CENSURE, OR OTHERWISE PUNISH THE MEMBER BY AN AFFIRMATIVE VOTE OF A MAJORITY OF THE MEMBERS ELECTED TO THE SENATE."

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

Amendment No. 2, by Senator Rupert

Amend printed resolution, as printed in Senate Journal, January 6, page 60, strike lines 58 through 60 and substitute the following:

"COMMITTEE ON ETHICS SHALL BE APPOINTED, WHICH SHALL CONSIST OF SIX MEMBERS. THE PARTY REPRESENTATION ON THE COMMITTEE SHALL BE EQUALLY DIVIDED BETWEEN THE TWO MAJOR".

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

YES13		NO17		EXCUSED5		ABSENT0	
Anderson	E	Evans	N	Musgrave	E	Tanner	Y
Andrews	N	Feeley	Y	Nichol	Y	Tebedo	N
Arnold	N	Hernandez	Y	Owen	N	Teck	N
Blickensderfer	N	Hillman	N	Pascoe	Y	Thiebaut	E
Chlouber	N	Lacy	N	Perlmutter	Y	Wattenberg	N
Congrove	N	Lamborn	N	Phillips	Y	Weddig	Y
Dennis	N	Linkhart	Y	Reeves	Y	Wham	E
Dyer	E	Martinez	Y	Rupert	Y	Mr. President	N
Epps	N	Matsunaka	Y	Sullivan	N		

Amendment No. 3 , by Senator Blickensderfer

Amend printed resolution, as printed in Senate Journal, January 6, page 60, line 52, strike "COMPLAINT DOES";

line 53, strike "NOT STATE" and substitute "COMPLAINT IS NOT MERITORIOUS OR DOES NOT SUBSTANTIATE".

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

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

YES30		NO0		EXCUSED5		ABSENT0	
Anderson	E	Evans	Y	Musgrave	E	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	E
Chlouber	Y	Lacy	Y	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	E
Dyer	E	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivan	Y		

SR 00-006 by Senators Blickensderfer, Powers and Feeley--Concerning reconsideration.

Laid over until Monday, January 17, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR’S APPOINTMENTS

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

TRANSPORTATION COMMISSION

for terms effective July 1, 1999 and expiring July 1, 2003:

Joseph A. Jehn of Arvada, Colorado, to serve as a member from Transportation District 2, and as a Republican, appointed;

JoAnn Groff of Westminster, Colorado, to serve as a member from Transportation District 4, and as a Democrat, appointed;

Charles Archibeque of Greeley, Colorado, to serve as a member from Transportation District 5, and as a Republican, appointed;

William R. Haight of Steamboat Springs, Colorado, to serve as a member from Transportation District 6, and as a Republican, re-appointed;

Dan D. Stuart of Manitou Springs, Colorado, to serve as a member from Transportation District 9, and as a Republican, re-appointed;

Donald G. Morrison of Limon, Colorado, to serve as a member from Limon, Colorado, and as a Republican, re-appointed.

YES	30	NO	0	EXCUSED	5	ABSENT	0
Anderson	E	Evans	Y	Musgrave	E	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	E
Chlouber	Y	Lacy	Y	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	E
Dyer	E	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivan	Y		

COMMITTEE OF REFERENCE REPORTS

Education After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: SB00-061

Education The Committee on Education has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

STATE STANDARDS AND ASSESSMENTS
DEVELOPMENT AND IMPLEMENTATION COUNCIL

effective June 16, 1999, for a term expiring September 1, 2001:

Craig M. Bowman of Aurora, Colorado, appointed.

Education The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

COLORADO EDUCATIONAL AND CULTURAL
FACILITIES AUTHORITY

for terms effective July 1, 1999 and expiring June 30, 2003:

Jerry F. Wartgow of Golden, Colorado, to serve as a Republican, appointed;

David H. Kast of Colorado Springs, Colorado, to serve as a Republican, appointed.

Education The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

BOARD OF TRUSTEES OF THE
STATE COLLEGES IN COLORADO

for terms expiring July 1, 2003:

James D. Hamilton (R) of Grand Junction, Colorado, appointed;

Ann C. Rice (R) of Englewood, Colorado, appointed;

Robert L. Decker (R) of Gunnison, Colorado, appointed;

Timothy L. Walters of Alamosa, Colorado, a Republican, appointed.

for a term expiring July 1, 2001:

William H. Hanzlik of Englewood, a Republican, replacing William T. Martin of Colorado Springs, who resigned, appointed.

Education

The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

COLORADO COMMISSION ON
HIGHER EDUCATION

effective July 1, 1999, for a term expiring July 1, 2003:

Peggy Lamm of Superior, Colorado, to serve as a representative of the Second Congressional District, and as a Democrat, appointed;

effective July 1, 1999, for a term expiring June 30, 2002:

Dean Quamme of Grand Junction, Colorado, to serve as a representative from the Third Congressional District, and as a Republican, appointed.

Business
Affairs
and Labor

The Committee on Business Affairs and Labor has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBER OF THE
BOARD OF DIRECTORS OF THE
COLORADO COMPENSATION
INSURANCE AUTHORITY

for a term expiring January 1, 2003:

Peter M. Meersman of Aurora, Colorado, to serve as a representative of employees of an employer insured by the state compensation insurance authority, appointed.

Business
Affairs
and Labor

The Committee on Business Affairs and Labor has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

BOARD OF REAL ESTATE APPRAISERS

for a term expiring July 1, 2002:

Larry S. Massey of Denver, Colorado, to serve as a representative of real estate appraisers, and as a Republican, appointed.

APPOINTMENTS BY THE PRESIDENT

1/14/00

Mr. Charles Brown
Executive Director
Legislative Council
State Capitol Building
Denver, CO 80203

Dear Mr. Brown:

In accordance with the provisions of Senate Joint Resolution 93-10 and Senate Joint Resolution 95-1007, and with the concurrence of the Senate Minority Leader, I am pleased to appoint the following individual to the vacancy on the Colorado State and Local Forum

Committee, which occurred when Senator Michael Feeley tendered his resignation:

State Senator Terry Phillips

Sincerely,
(Signed)
Ray Powers

On motion of Senator Blickensderfer, the Senate adjourned until 10:00 a.m., Monday,
January 17, 2000.

Approved:

Ray Powers
President of the Senate

Attest:

Patricia K. Dicks
Secretary of the Senate

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72