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SENATE JOURNAL

Sixty-second General Assembly STĂTE OF COLORADO

Second Regular Session

29th Legislative Day

Wednesday, February 2, 2000

Call to Order

By the President at 9:00 a.m.

Prayer

By the chaplain, Rabbi Gorden Rubenstein

Roll Call

Present--Total, 31.

Absent/Excused--Anderson, Lacy, Sullivant, Wham.

Present later--Lacy, Sullivant, Wham.

Quorum

The President announced a quorum present.

Reading of Journal

On motion of Senator Evans, reading of the Journal of Tuesday, February 1st was dispensed with and the Journal stands approved as corrected by the Secretary.

THIRD READING OF BILLS--FINAL PASSAGE

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

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

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

YES	19		NO	13		EXCUSED	3		ABSENT	0
Anderson		Е	Evans		N	Musgrave		N	Tanner	Y
Andrews		N	Feeley		Y	Nichol		Y	Tebedo	N
Arnold		N	Hernandez		Y	Owen		N	Teck	Y
Blickensderfer		N	Hillman		N	Pascoe		Y	Thiebaut	Y
Chlouber		N	Lacy		Е	Perlmutter		Y	Wattenberg	Y
Congrove		N	Lamborn		N	Phillips		Y	Weddig	Y
Dennis		Y	Linkhart		Y	Reeves		Y	Wham	Е
Dyer		Y	Martinez		Y	Rupert		Y	Mr. President	N
Epps	11	N.	Matsunaka	.1 C	Y	Sullivant		Y	CC:	•11

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

Co-sponsors added: Hernandez, Linkhart, Martinez, Nichol, Pascoe, Perlmutter, Reeves Rupert, Tanner, Teck, Weddig.

SB 00-051 by Sen. Tebedo; Rep. Spradley--Child Care Omnibus

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

YES 32		NO 0		EXCUSED 3		ABSENT 0	
Anderson	Е	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	Ε	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	Е
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivant	Y	CC	

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

Co-sponsors added: Hernandez, Martinez, Nichol, Phillips, Reeves, Rupert, Weddig.

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SB 00-022 by Sen. Tebedo; Rep. Alexander--Inspections Of Child Care Facilities

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

YES	32		NO	0		EXCUSED	3		ABSENT	0	
Anderson		Ε	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		Е	Perlmutter		Y	Wattenberg		Y
Congrove		Y	Lamborn		Y	Phillips		Y	Weddig		Y
Dennis		Y	Linkhart		Y	Reeves		Y	Wham		Е
Dyer		Y	Martinez	•	Y	Rupert		Y	Mr. President	•	Y
Epps		Y	Matsunaka	1 6	Y	Sullivant	1.	Y	CC*	1 111	

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

Co-sponsors added: Hernandez, Martinez, Nichol, Reeves, Rupert, Weddig.

SB 00-125 by Sen. Owen; Rep. Tool--CBI Firearms Background Check System

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

Third Reading Amendment No. 1, by Senator Owen

Amend engrossed bill, page 7, strike lines 14 through 18;

after line 21, insert the following:

"(c) THE BUREAU IS AUTHORIZED TO COOPERATE WITH FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT AGENCIES TO PERFORM OR ASSIST ANY OTHER LAW ENFORCEMENT AGENCY IN PERFORMING ANY FIREARM RETRIEVALS, AND TO ASSIST IN THE PROSECUTION OF ANY RESCINDED TRANSFERS.".

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	22		NO	10		EXCUSED	3		ABSENT	0
Anderson		Е	Evans		N	Musgrave		N	Tanner	Y
Andrews		N	Feeley		Y	Nichol		N	Tebedo	Y
Arnold		Y	Hernandez		Y	Owen		Y	Teck	N
Blickensderfer		Y	Hillman		N	Pascoe		Y	Thiebaut	Y
Chlouber		N	Lacy		Е	Perlmutter		Y	Wattenberg	N
Congrove		N	Lamborn		N	Phillips		Y	Weddig	Y
Dennis		Y	Linkhart		Y	Reeves		Y	Wham	Е
Dyer		Y	Martinez		Y	Rupert		Y	Mr. President	Y
Epps	11	Y	Matsunaka	1 0	Y	Sullivant		Y	CC*	'11

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

Co-sponsors added: Blickensderfer, Epps, Hernandez, Pascoe, Rupert.

Committee of the Whole

On motion of Senator Perlmutter, the Senate resolved itself into Committee of the Whole for consideration of General Orders and Senator Perlmutter 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:

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- SB 00-086 by Sen. Hillman; Rep. Larson--Withdrawal Of CCIA From Risk Mgmt Laid over until Thursday, February 3, retaining its place on the calendar.
- SB 00-025 by Sen. Chlouber--Competitive Telecom Market

 Laid over until Thursday, February 3, retaining its place on the calendar.
- SB 00-095 by Sen. Wattenberg; Rep. George--Access To Eye Care Coverage

 Laid over until Thursday, February 3, retaining its place on the calendar.
- SB 00-183 by Sen. Feeley; Rep. McPherson--Colorado Institute Of Technology

<u>Amendment No. 1, Education Committee Amendment</u> (Printed in Senate Journal, January 27, page 169.)

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 Perlmutter, 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:

SB00-183, as amended, declared passed on Second Reading. SB00-086, SB00-025, SB00-095, laid over until Thursday, February 3, 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 Governor's appointments.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY

for terms expiring October 1, 2002:

Steven C. Harris of Durango, Colorado, to serve as a representative from the San Miguel Dolores-San Juan Drainage Basin and to represent engineering aspects of water, and as a Democrat, after resignation of his current position due to a change of representation, appointed;

Randall K. Palmgren of Center, Colorado, to serve as a representative Rio Grande Drainage Basin and as a Democrat, appointed to replace J. Kuntz who resigned.

YES	34		NO ()	EXCUSED 1		ABSENT	0
Anderson		Ε	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		

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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 Wednesday, February 2, was laid over until Thursday, February 3, retaining its place on the calendar.
COMMITTEE OF REFERENCE REPORTS
After consideration on the merits, the committee recommends that the following be postponed indefinitely:
After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: SB00-103
After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: HB00-1155
After consideration on the merits, the committee recommends that the following be postponed indefinitely: SB00-134
Senate in recess.
Senate reconvened.
SENATE SERVICES REPORT
Correctly engrossed: SB 00-183.
COMMITTEE OF REFERENCE REPORTS
After consideration on the merits, the committee recommends that <u>SB00-127</u> be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:
Amend printed bill, page 1, line 8, strike "Repeal.";
line 9, strike "repealed as follows:" and substitute "amended to read:";
line 10, strike "Eight-hour day - emergencies." and substitute "Overtime not mandatory.".
Page 2, line 7, after "hours." add "Nothing in this article shall be construed to mandate overtime for employees in and about cement manufacturing plants and plaster manufacturing plants unless otherwise negotiated by contract.".
After consideration on the merits, the committee recommends that the following be

Health, Environment, Welfare and Institutions After consideration on the merits, the committee recommends that <u>SB00-020</u> b amended as follows and, as so amended, be referred to the Committee on Education with favorable recommendation:

Amend printed bill, page 1, line 7, strike "which is not a part of a hospital" and substitute "which is not a part of a hospital";

line 8, strike "but THAT" and substitute "but".

TRIBUTES--A POINT OF INTEREST

Honoring Chad Huggenberger by Senator Matsunaka

Honoring Gary Glover & The Loveland High School Gymnastics Team by Senator Matsunaka

Honoring Barbara Rhine by Senator Owen

Honoring Daniel David Hazen by Senator Arnold

Honoring Robert Stegmueller by Senator Arnold

Honoring Matthew Wolfe by Senator Dennis

Honoring Jonathan Leech by Senator Dennis

Honoring Eric Fitzsimmons by Senator Dennis

Honoring S. Ren Johnson by Senator Dennis

Honoring Dominic Burch by Senator Dennis Honoring Warren Hostetter by Senator Dennis

Honoring Matthew Thomason by Senator Dennis

Honoring Jeffery Billings by Senator Dennis

Honoring Phillip Dressen by Senator Dennis

Memorializing Vernon Littrell Johnson by Senator Thiebaut

Memorializing Michael "Mike" Kikel by Senator Thiebaut

Memorializing Joseph D. Jahn by Senator Thiebaut

Memorializing Glen L. Hunter by Senator Thiebaut

Memorializing Edward "Ed" Harris by Senator Thiebaut

Memorializing Barbara Ann Guerrero by Senator Thiebaut

Memorializing Mary Farley by Senator Thiebaut

Memorializing Marian Cushing by Senator Thiebaut

Memorializing Robert N. Hamel by Senator Thiebaut

Memorializing Robert "Craig" Sullivan by Senators Rupert and Phillips

On motion of Senator Reeves, the Senate adjourned until 9:00 a.m., Thursday, February 3, 2000.

Approved:

Ray Powers President of the Senate

Attest:

Patricia K. Dicks Secretary of the Senate