

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

29<sup>th</sup> 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 1 <sup>st</sup> was dispensed with and the Journal stands approved as corrected by the Secretary.
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### 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	E	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	E	Perlmutter	Y	Wattenberg	Y
Congrove	N	Lamborn	N	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	E
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	N
Epps	N	Matsunaka	Y	Sullivant	Y		

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

Epps	1	Matsuoka	1	Sullivan	1
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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.

SB00-022 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	E	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	E
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, Martinez, Nichol, Reeves, Rupert, Weddig.

SB00-125 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	E	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	E	Perlmutter	Y	Wattenberg	N
Congrove	N	Lamborn	N	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	E
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, 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:

- 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
- Amendment No. 1, Education Committee Amendment  
(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	0	EXCUSED	1	ABSENT	0
Anderson	E	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		

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

Local Government

After consideration on the merits, the committee recommends that the following be postponed indefinitely: SB00-118

Finance

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: SB00-103

Finance

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: HB00-1155

Finance

After consideration on the merits, the committee recommends that the following be postponed indefinitely: SB00-134

Senate in recess.

Senate reconvened.

SENATE SERVICES REPORT

Senate Services

Correctly engrossed: SB 00-183.

COMMITTEE OF REFERENCE REPORTS

Business Affairs and Labor

After consideration on the merits, the committee recommends that SB00-127 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."

Business Affairs and Labor

After consideration on the merits, the committee recommends that the following be postponed indefinitely: SB00-081

Health,  
Environment,  
Welfare and  
Institutions

After consideration on the merits, the committee recommends that SB00-020 be 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

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