

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

58th Legislative Day Thursday, March 2, 2000

Call to Order By the President at 9:00 a.m.

Prayer By the chaplain, Rabbi Gorden Rubenstein, Aurora.

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 Owen, reading of the Journal of Wednesday, March 1st was dispensed with and the Journal stands approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Correctly printed: SB 00-200; SJR 00-006.

On motion of Senator Blickensderfer, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB00-1036, HB00-1190, and HB00-1218 were made Special Orders at 9:12 a.m.

Committee of the Whole The hour of 9:12 a.m. having arrived, Senator Arnold moved that the Senate resolve itself into Committee of the Whole for consideration of Special Orders and Senator Arnold was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS--9:12 A.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 00-1036 by Rep. Witwer; Senator Blickensderfer--Coroner Death Inquiries

Amendment No. 1, by Senator Blickensderfer

Amend reengrossed bill, page 1, line 6, strike "SECTION" and substitute "SECTIONS 12-43-218 AND".

Page 2, line 12, after "PARTY.", add "ANY PERSON WHO COMPLIES WITH A REQUEST FROM A CORONER PURSUANT TO THIS SUBSECTION (6) SHALL BE IMMUNE FROM ANY CIVIL OR CRIMINAL LIABILITY THAT MIGHT OTHERWISE BE INCURRED OR IMPOSED WITH RESPECT TO THE DISCLOSURE OF CONFIDENTIAL PATIENT OR CLIENT INFORMATION.".

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

HB 00-1190 by Rep. Webster; Sen. Dennis--Increase Outstanding Bond Amount

Amendment No. 1, Education Committee Amendment
 (Printed in Senate Journal, February 25, page 422.)

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

HB 00-1218 by Rep. Saliman; Senator Reeves--Mobile Home Owner Notification

Ordered revised 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 Arnold, the Report of the Committee of the Whole was adopted and, a majority of all members elected having voted in the affirmative, the following action was taken:

HB00-1218 declared passed on Second Reading.
 HB00-1036, as amended, HB00-1190, as amended, declared passed on Second Reading.

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 Anderson, the following Governor’s appointments were confirmed by a roll call vote:

WORKERS’ COMPENSATION COST
CONTAINMENT BOARD

for a term expiring December 13, 2001:

Darrell F. Dinkel of Highlands Ranch, Colorado, to serve as an employer who had demonstrated good risk management with worker’s comp insurance, and as a Republican, appointed.

for a term expiring December 13, 2002:

Henry A. Hahne of Littleton, Colorado, to serve as an executive with risk management experience and as a Republican, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
Chlouber	Y	Lacy	E	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	Y
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivan	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 Thursday, March 2, was laid over until Friday, March 3, retaining its place on the calendar.

Senate in recess.

Senate reconvened.

SENATE SERVICES REPORT

Senate Services Correctly revised: HB 00-1036, 1088, 1190, 1218.

SENATE SERVICES REPORT

Senate Services To the governor for signature on Tuesday, February 29, 2000, at 2:15 p.m.:
SB 00-125.

To the governor for signature on Thursday, March 2, 2000, at 10:50 a.m.:
SJR 00-003, SJR 00-004.

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the committee recommends that the following be
referred favorably to the Committee of the Whole: HB00-1191

Judiciary After consideration on the merits, the committee recommends that the following be
referred favorably to the Committee on Appropriations: HB00-1247

Judiciary After consideration on the merits, the committee recommends that HB00-1333 be
amended as follows and, as so amended, be referred to the Committee on Appropriations
with favorable recommendation:

Amend reengrossed bill, page 2, strike lines 7 through 9 and substitute the
following:

"(II) THE CORRECTIONAL FACILITIES THAT THE CHAIRPERSON
DETERMINES WILL BE ACCESSIBLE VIA";

line 11, after the period, add "IN IDENTIFYING SUCH CORRECTIONAL
FACILITIES, THE CHAIRPERSON MAY INCLUDE THE COLORADO MENTAL
HEALTH INSTITUTE AT PUEBLO FOR PURPOSES OF HEARINGS HELD AT THE
INSTITUTE PURSUANT TO SUBSECTION (10) OF THIS SECTION.".

Judiciary After consideration on the merits, the committee recommends that HB00-1214 be
amended as follows and, as so amended, be referred to the Committee on Appropriations
with favorable recommendation:

Amend reengrossed bill, page 1, line 6, strike "WHOM" and substitute
"WHO";

strike line 7 and substitute "KNOWS IS INELIGIBLE TO POSSESS";

line 8, strike "PURCHASE".

Page 2, strike lines 2 through 5;

strike line 6 and substitute "(2) ANY PERSON WHO SELLS A FIREARM AND
KNOWS";

line 7, strike "REASONABLY SHOULD KNOW";

line 10, strike "(4)" and substitute "(3)";

line 17, strike "(4)" and substitute "(3)".

Page 1, line 102, strike "PURCHASE" and substitute "POSSESS".

Education

The Committee returns herewith SB00-105 and reports that said bill has been considered on its merits and voted upon by the committee in accordance with Senate Rules, that the deadline applicable to committees under Joint Rule 23 (a) (1) has passed, that final action has not been taken by this committee within said deadline, and that the Committee on Delayed Bills has not waived said deadline. Pursuant to Joint Rule 23 (a) (3) (A), said bill is deemed to be postponed indefinitely.

Education

The Committee returns herewith SB00-059 and reports that said bill has been considered on its merits and voted upon by the committee in accordance with Senate Rules, that the deadline applicable to committees under Joint Rule 23 (a) (1) has passed, that final action has not been taken by this committee within said deadline, and that the Committee on Delayed Bills has not waived said deadline. Pursuant to Joint Rule 23 (a) (3) (A), said bill is deemed to be postponed indefinitely.

Education

After consideration on the merits, the committee recommends that SB00-195 be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:

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

"**SECTION 2.** 22-32-110.3 (4) (d), Colorado Revised Statutes, is amended to read:

22-32-110.3. Board of education - specific powers - teacher in residence program. (4) (d) Any person employed as a resident teacher, on or before April 15 of the first year of employment, shall pass ~~a basic skills assessment of reading, writing, and mathematics~~ and an assessment of subject matter knowledge, appropriate to the person's teaching assignment, administered by the department of education. Any person who fails to pass the ~~basic skills and subject matter assessments~~ ASSESSMENT by such date shall be terminated from the teacher in residence program at the conclusion of the year and shall not be eligible for enrollment in any other residency program until he or she has passed the ~~basic skills and subject matter assessments~~.

SECTION 3. 23-1-121 (6), Colorado Revised Statutes, is amended to read:

23-1-121. Commission directive - approval of teacher preparation programs. (6) Beginning January 2002, the commission shall annually submit to the education committees of the senate and the house of representatives a report concerning the effectiveness of the review of teacher preparation programs conducted pursuant to this section. The report shall also state the percentage of teacher candidates graduating from each teacher preparation program during the preceding twelve months that applied for and received a provisional teacher license pursuant to section 22-60.5-201, C.R.S., and the percentage of said graduates who passed the ~~basic skills assessment and related assessments~~ administered pursuant to section 22-60.5-203, C.R.S. The education committees of the senate and the house of representatives shall consider the report in a joint meeting held pursuant to section 22-60.5-116.5, C.R.S."

Renumber succeeding section accordingly.

Agriculture,
Natural
Resources
and Energy

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: HB00-1315

Agriculture, Natural Resources and Energy	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1290</u>	1
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Agriculture, Natural Resources and Energy	After consideration on the merits, the committee recommends that <u>HB00-1353</u> be amended as follows and, as so amended, be referred to the Committee on Finance with favorable recommendation: Amend reengrossed bill, page 2, line 7, strike "2003." and substitute "2005."; line 20, strike "2003." and substitute "2005.". Page 3, line 8, strike "2003." and substitute "2005."; line 20, strike " 2000 2001," and substitute "2000,".	7
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Agriculture, Natural Resources and Energy	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee on Local Government: <u>HB00-1223</u>	21
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Local Government	After consideration on the merits, the committee recommends that <u>HB00-1277</u> be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation: Amend reengrossed bill, page 2, line 16, strike "DISTRICTS; EXCEPT THAT THE COURT" and substitute "DISTRICTS; EXCEPT FOR THE ACQUISITION OF WATER RIGHTS AND INTERESTS IN REAL PROPERTY REQUIRED FOR THE EXERCISE OF SUCH WATER RIGHTS WITHOUT THE CONSENT OF THE OWNER OR OWNERS THEREOF."; strike lines 17 through 26. Strike pages 3 through 5. Page 6, strike lines 1 through 25. Renumber succeeding section accordingly.	27
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Local Government	After consideration on the merits, the committee recommends that <u>HB00-1284</u> be amended as follows and, as so amended, be referred to the Committee on Finance with favorable recommendation: Amend reengrossed bill, page 4, line 8, after the second "TO", insert "SUBSECTION (3) OF". Page 5, line 1, after the second "TO", insert "SUBSECTION (3) OF".	44
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Business Affairs and Labor	After consideration on the merits, the committee recommends that <u>HB00-1182</u> be amended as follows and, as so amended, be referred to the Committee on Appropriations with favorable recommendation: Amend reengrossed bill, page 19, strike lines 15 through 22. Renumber succeeding sections accordingly. Page 20, strike lines 13 through 20 and substitute the following: "SECTION 28. 24-34-104 (32.5), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:	50
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24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment.
(32.5) The following agencies, functions, or both, shall terminate on July 1, 2003:

(f) THE COLLECTION AGENCY BOARD CREATED IN SECTION 12-14-116, C.R.S."

Business Affairs and LaborAfter consideration on the merits, the committee recommends that HB00-1112 be amended as follows and, as so amended, be referred to the Committee on Local Government with favorable recommendation:

Amend reengrossed bill, page 2, strike lines 20 through 23 and substitute the following:

"(III) THE AGENCY SHALL, AS SOON AS PRACTICABLE, MAKE THE STATEMENT OF BASIS AND PURPOSE ACCESSIBLE ELECTRONICALLY ON THE INTERNET, AND SHALL INCLUDE INSTRUCTIONS FOR ACCESSING THE".

Business Affairs and LaborAfter consideration on the merits, the committee recommends that HB00-1309 be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 4, line 5, strike "A" and substitute "AN UNSOLICITED".

FinanceAfter consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: HB00-1048

MESSAGE FROM THE HOUSE

March 2, 2000
Mr. President:

The House has postponed indefinitely SB00-179. The bill is returned herewith.

INTRODUCTION OF BILL

The following bill was read by title and referred to the committee indicated:

SB00-201by Senator Wham; also Representative Hoppe--Concerning a requirement for insurers that issue homeowner's insurance policies to offer water damage insurance as a policy rider.
Business Affairs & Labor

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The President has signed: HB00-1176; HJR00-1002.

REPORTS

Pursuant to Senate Bill 99-215, footnote 58, the Department of Health Care Policy & Financing has submitted their Colorado medicaid report on the growth in home health. A copy of this report is on file with the Legislative Council Library.

Pursuant to Senate Bill 99-215, footnote 242, the Department of Revenue, Taxpayer Services Division has submitted its report on the TPS call center services to taxpayers. A copy of this report is on file with the Legislative Council Library.

Pursuant to Senate Bill 99-215, footnote 248, the Department of Revenue has submitted its report to the Joint Budget Committee concerning the utilization of resources and staff by the Division of Racing Events. A copy of this report is on file with the Legislative Council Library.

Pursuant to CRS 26-15-105, the Department of health Care Policy & Financing has submitted its 1999 annual report on the Colorado indigent care program. A copy of this report is on file with the Legislative Council Library.

Pursuant to CRS 39-29-110(3) and 34-63-102(5)(c), the Department of Local Affairs, has submitted its 1999 annual summary and status report of mineral lease and severance tax funds distributed through the energy and mineral impact assistance program. A copy of this report is on file with the Legislative Council Library.

Pursuant to CRS 23-13-105(5)(a), the Department of Higher Education, Colorado Commission on Higher Education has submitted its quality indicator system assessment report. A copy of this report is on file with the Legislative Council Library.

Colorado Department of Education has submitted a report on Colorado charter schools capital finance study, dated January 2000. A copy of this report is on file with the Legislative Council Library.

Pursuant to Title 36, Article 1, Paragraph 148(4), CRS, the Board of Land Commissioners has submitted its annual report concerning the use and disposition of property acquired by the State Land Board for fiscal year ending June 1999. A copy of this report is on file with the Legislative Council Library.

Pursuant to Title 36, Article 1, Paragraph 148(4), CRS, the Board of Land Commissioners has submitted its annual report of the monies expended from the land and water management fund for fiscal year ending 1999. A copy of this report is on file with the Legislative Council Library.

Pursuant to 19-5-216(2), CRS, HB99-1299, the Department of Human Services has submitted its preliminary progress report on the adoptive family resource registry. A copy of this report is on file with the Legislative Council Library.

Pursuant to 26-18-101, CRS, the Department of Human Services, Division of Child Welfare, State Family Development Center State Council, has submitted its report on family development centers. A copy of this report is on file with the Legislative Council Library.

The Colorado Community College and Occupational Education System has submitted its 1999 annual report on the personnel pilot program. A copy of this report is on file with the Legislative Council Library.

Pursuant to 24-50-703(6)(b), CRS, the Department of Education has submitted its final report on the personnel pilot program. A copy of this report is on file with the Legislative Council Library.

Pursuant to 25-7-137, CRS, the Department of Public Health and Environment has submitted its report regarding regional haze. A copy of this report is on file with the Legislative Council Library.

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Pursuant to 25-4-2004(5), CRS, the Department of Public Health and Environment has submitted a report of the effectiveness of and the necessity for the Hepatitis C program. A copy of this report is on file with the Legislative Council Library.

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Pursuant to Senate Bill 99-215, footnote 61, the Department of Health Care Policy & Financing has submitted a report on Colorado children’s basic health plan, family premium structure. A copy of this report is on file with the Legislative Council Library.

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Pursuant to Senate Bill 99-215, footnote 49, the Department of Health Care Policy & Financing has submitted its report on the impact to the Colorado Medicaid Program of the addition of a medicaid benefit. A copy of this report is on file with the Legislative Council Library.

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The Department of Regulatory Agencies, Public Utilities Commission, has submitted its report regarding the operation of the telephone high cost support mechanism during calendar year 1998, current estimate of the mechanism’s operation for calendar year 1999, and its proposed operation for calendar year 2000. A copy of this report is on file with the Legislative Council Library.

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Pursuant to 24-75-212, CRS, the Office of the State Controller has submitted its report on the schedule of federal funds transactions for all state agencies for fiscal year ended June 1999. A copy of this report is on file with the Legislative Council Library.

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Pursuant to 26-4-203, CRS, the Department of Health Care Policy & Financing has submitted its report on Prenatal Care for Undocumented Women. A copy of this report is on file with the Legislative Council Library.

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On motion of Senator Blickensderfer, the Senate adjourned until 9:00 a.m., Friday, March 3, 2000.

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Approved:

Ray Powers
President of the Senate

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Attest:

Patricia K. Dicks
Secretary of the Senate

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