

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

99th Legislative DayWednesday, April 12, 2000

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

Prayer By the chaplain, Dr. Gilbert Caldwell, Park Hill Methodist Church, Denver.

Roll Call Present--Total, 28.
Absent/Excused--Lacy, Linkhart, Owen, Perlmutter, Sullivant, Tebedo, Weddig--Total, 7.
Present later--Lacy, Linkhart, Owen, Perlmutter, Sullivant, Tebedo, Weddig.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Epps, reading of the Journal of Tuesday, April 11th was dispensed with and the Journal stands approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Services Correctly printed: SJR 00-018, 019; SB 00-222.

MESSAGES FROM THE GOVERNOR

Appoint-ments Letters of designation, withdrawal, and appointment from Governor Owens were read and assigned to Committee as follows:

May 22, 1998

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

HAZARDOUS WASTE COMMISSION

for terms expiring August 1, 2000:

Karan S. North of Blackhawk, Colorado, to serve as a representative from the regulated community and as an Democrat, reappointed;

Dr. John W. Daily of Boulder, Colorado, to serve as a representative of the academic community and as an Unaffiliated , reappointed;

Susan M. Johnson of Denver, Colorado to serve as a representative of public at large and as a Democrat, appointed.

Sincerely,
(Signed)
Roy Romer
Governor
Rec'd 6/11/98
P. Dicks, Assistant Secretary

October 19, 1998

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

HAZARDOUS WASTE COMMISSION

for terms expiring August 1, 2000:

John S. Pickle of Greeley, Colorado, to serve as a representative of local government and as an Unaffiliated, reappointed;

Ann C. Umphres of Golden, Colorado, to serve as a representative of the public at large and as a Democrat, reappointed;

Norman W. Higley of Parker, Colorado to serve as a representative of industry and as a Republican, reappointed.

Sincerely,
(Signed)
Roy Romer
Governor
Rec'd 10/22/98
P. Dicks, Assistant Secretary

March 15, 2000

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

HAZARDOUS WASTE COMMISSION

WITHDRAWAL OF NOMINATIONS

WHEREAS, the following named individuals were nominated by Governor Roy Romer to serve as members of the Hazardous Waste Commission;

NOW THEREFORE, I, Bill Owens, Governor of the State of Colorado, under the authority vested in me under the constitution and laws of the State of Colorado, do hereby withdraw the nominations of the following named individuals to the Hazardous Waste Commission effective March 15, 2000;

Karan S. North of Black Hawk, Colorado;

Susan M. Johnson of Denver, Colorado;

John S. Pickle of Greeley, Colorado.

Sincerely,
(Signed)

Bill Owens
Governor
Rec'd 4/6/00
P. Dicks, Secretary

March 15, 2000

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

HAZARDOUS WASTE COMMISSION

for terms expiring August 1, 2002:

Kenneth D. Blehm of Greeley, Colorado, to serve as a representative from the academic community and as a Republican, appointed;

Diane M. Johnson of Arvada, Colorado, to serve as a representative of the regulated community and as a Democrat, appointed;

for terms expiring August 1, 2000:

Dr. John W. Daily of Boulder, Colorado, to serve as a representative of the academic community and as an Unaffiliated, continued;

Brenda K. Marriott of Arvada, Colorado, to serve as a representative of the regulated community and as a Republican, appointed;

Lauren E. Evans of Lakewood, Colorado, to serve as a member of the public and as a Republican, appointed;

Len Kay Wilson of Denver, Colorado, to serve as representative of local government and as a Republican, appointed;

Norman W. Higley of Parker, Colorado, to serve as a representative of industry and as a Republican, continued;

Ann C. Umphres of Golden, Colorado, to serve as a member of the public and as a Democrat, continued.

Sincerely,
(Signed)
Bill Owens
Governor
Rec'd 4/6/00
P. Dicks, Secretary

Committee on Business Affairs and Labor

March 15, 2000

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

WATER QUALITY CONTROL COMMISSION

for terms expiring February 15, 2003:

- Richard C. Kraft of Fort Morgan, Colorado to serve as a Republican, appointed;
- Tai-Dan Hsu of Morrison, Colorado to serve as a Republican, appointed;
- Robert T. Sakata of Brighton, Colorado to serve as a Republican, reappointed.

Sincerely,
(Signed)
Bill Owens
Governor
Rec'd 4/6/00
P. Dicks, Secretary

Committee on Agriculture, Natural Resources and Energy

March 15, 2000

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

COLORADO
CIVIL RIGHTS COMMISSION

for terms expiring March 13, 2004:

- James R. Sullivan of Larkspur, Colorado, to serve as a representative of local government and as a Republican, appointed;
- Jacque Stafford of Grand Junction, Colorado, to serve as a representative of small businesses and as a Republican, reappointed.

Sincerely,
(Signed)
Bill Owens
Governor
Rec'd 4/6/00
P. Dicks, Secretary

Committee on State, Veterans, and Military Affairs

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:

SCR 00-005 by Sen. Owen; Rep. Pfiffner--Repeal Outdated Provisions of Constitution

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

YES	33	NO	0	EXCUSED	2	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	E	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 constitutional two-thirds majority of all members elected to the Senate having voted in the affirmative, the concurrent resolution was declared PASSED.

Co-sponsors added: Chlouber, Congrove, Hernandez, Martinez, Musgrave, Nichol, Powers, Thiebaut, Weddig.

SCR00-005 *Be It Resolved by the Senate of the Sixty-second General Assembly of the State of Colorado, the House of Representatives concurring herein:*

SECTION 1. At the next election at which such question may be submitted, there shall be submitted to the registered electors of the state of Colorado, for their approval or rejection, the following amendment to the constitution of the state of Colorado, to wit:

Section 4 of article V of the constitution of the state of Colorado is amended to read:

Section 4. Qualifications of members. No person shall be a representative or senator who shall not have attained the age of twenty-five years, who shall not be a citizen of the United States, AND who shall not for at least twelve months next preceding his election, have resided within the territory included in the limits of the county or district in which he shall be chosen. ~~provided, that any person who at the time of the adoption of this constitution, was a qualified elector under the territorial laws, shall be eligible to the first general assembly.~~

Section 25 of article V of the constitution of the state of Colorado is amended to read:

Section 25. Special legislation prohibited. The general assembly shall not pass local or special laws in any of the following enumerated cases, that is to say; for granting divorces; laying out, opening, altering or working roads or highways; vacating roads, town plats, streets, alleys and public grounds; locating or changing county seats; regulating county or township affairs; regulating the practice in courts of justice; regulating the jurisdiction and duties of ~~justices of the peace, police magistrates; and constables;~~ changing the rules of evidence in any trial or inquiry; providing for changes of venue in civil or criminal cases; declaring any person of age; for limitation of civil actions or giving effect to informal or invalid deeds; summoning or impaneling grand or petit juries; providing for the management of common schools; regulating the rate of interest on money; the opening or conducting of any election, or designating the place of voting; the sale or mortgage of real estate belonging to minors or others under disability; the protection of game or fish; chartering or licensing ferries or toll bridges; remitting fines, penalties or forfeitures; creating, increasing or decreasing fees, percentage or allowances of public officers; changing the law of descent; granting to any corporation, association or individual the right to lay down railroad tracks; granting to any corporation, association or individual any special or exclusive privilege, immunity or franchise whatever. In all other cases, where a general law can be made applicable no special law shall be enacted.

Section 6 of article XIV of the constitution of the state of Colorado is amended to read:

Section 6. County commissioners - election - term. In each county having a population of less than seventy thousand there shall be elected, for a term of four years each, three county commissioners who shall hold sessions for the transaction of county business as provided by law; any two of whom shall constitute a quorum for the transaction of business. Two of said commissioners shall be elected at the general election in the year nineteen hundred and four, and at the general election every four years thereafter; and the other one of said commissioners shall be elected at the general election in the year nineteen hundred and six, and at the general election every four years thereafter; provided, that when the population of any county shall equal or exceed seventy thousand, the board of county commissioners may consist of five members, any three of whom shall constitute a quorum for the transaction of business. Three of said commissioners in said county shall be elected at the general election in the year nineteen

hundred and four, and at the general election every four years thereafter; and the other two
of said commissioners in such county shall be elected at the general election in the year
nineteen hundred and six and every four years thereafter; and all of such commissioners
shall be elected for the term of four years.

~~The term of office of the county commissioners in each county that expires in January,
1904, is hereby extended to the second Tuesday in January, A.D. 1905, and the term of
office of the county commissioners that expires in January, 1906, is hereby extended to the
second Tuesday in January, A.D. 1907; and in counties having a population of more than
seventy thousand, the term of office of the commissioners that expires in 1904 shall be
extended to the second Tuesday in January, 1905, and the term of office of the county
commissioners that expires in 1906 is hereby extended to the second Tuesday in January,
1907. This section shall govern, except as hereafter otherwise expressly directed or
permitted by constitutional enactment.~~

Section 8 of article XIV of the constitution of the state of Colorado is amended to read:

Section 8. County officers - election - term - salary. There shall be elected in each
county, at the same time at which members of the general assembly are elected,
commencing in the year nineteen hundred and fifty-four, and every four years thereafter,
one county clerk, who shall be ex officio recorder of deeds and clerk of the board of
county commissioners; one sheriff; one coroner; one treasurer who shall be collector of
taxes; ~~one county superintendent of schools;~~ one county surveyor; one county assessor;
and one county attorney who may be elected or appointed, as shall be provided by law;
and such officers shall be paid such salary or compensation, either from the fees,
perquisites and emoluments of their respective offices, or from the general county fund, as
may be provided by law. The term of office of all such officials shall be four years, and
they shall take office on the second Tuesday in January next following their election, or at
such other time as may be provided by law. ~~The officers herein named elected at the
general election in 1954 shall hold their respective offices until the second Tuesday of
January, 1959.~~

Section 15 of article XIV of the constitution of the state of Colorado is amended to read:

Section 15. Compensation and fees of county officers. The general assembly shall fix
the compensation of county officers in this state by law, and shall establish scales of fees
to be charged and collected by such county officers. All such fees shall be paid into the
county general fund.

When fixing the compensation of county officers, the general assembly shall give due
consideration to county variations, including population; the number of persons residing in
unincorporated areas; assessed valuation; motor vehicle registrations; building permits;
military installations; and such other factors as may be necessary to prepare compensation
schedules that reflect variations in the workloads and responsibilities of county officers
and in the tax resources of the several counties.

The compensation of any county officer shall be increased or decreased only when the
compensation of all county officers within the same county, or when the compensation of
the same county officer within the several counties of the state, is increased or decreased.

~~Except for the schedule of increased compensation for county officers enacted by the
general assembly to become effective on January 1, 1969; County officers shall not
thereafter have their compensation increased or decreased during the terms of office to
which they have been elected or appointed.~~

Section 17 (3) (a) of article XIV of the constitution of the state of Colorado is amended
to read:

Section 17. Service authorities. (3) (a) The general assembly shall designate by
statute the functions, services, and facilities which may be provided by a service authority,
and the manner in which the members of the governing body of any service authority shall
be elected from compact districts of approximately equal population by the registered
electors of the authority, including the terms and qualifications of such members. ~~but for
the first five years after formation of any service authority, the members of the governing
body shall be elected by the registered electors within the boundaries of the authority from
among the mayors, councilmen, trustees, and county commissioners holding office at the
time of their election in home rule and statutory cities, cities and counties, home rule and
statutory towns, and home rule and statutory counties located within or partially within the
authority. This restriction shall expire January 1, 1980. The general assembly may
provide that members of the governing body may be elected by a vote of each compact
district or by an at-large vote or combination thereof. Notwithstanding any provision in
this constitution or the charter of any home rule city and county, city, town, or county to
the contrary, mayors, councilmen, trustees, and county commissioners may additionally
hold elective office with a service authority and serve therein either with or without
compensation, as provided by statute.~~

Repeal. Section 1 of article XV of the constitution of the state of Colorado is repealed
as follows:

Section 1. Unused charters or grants of privilege. ~~All existing charters or grants of
special or exclusive privileges, under which the incorporators or grantees shall not have
organized and commenced business in good faith at the time of the adoption of this
constitution, shall thereafter have no validity.~~

Repeal. Section 7 of article XV of the constitution of the state of Colorado is repealed

as follows:

Section 7. Existing railroads to file acceptance of constitution. ~~No railroad or other transportation company in existence at the time of the adoption of this constitution shall have the benefit of any future legislation, without first filing in the office of the secretary of state an acceptance of the provisions of this constitution in binding form.~~

Section 4 of article XX of the constitution of the state of Colorado is amended to read:

Section 4. First charter. (1) ~~The charter and ordinances of the city of Denver as the same shall exist when this amendment takes effect, shall, for the time being only, and as far as applicable, be the charter and ordinances of the city and county of Denver; but the people of the city and county of Denver are hereby vested with and they shall always have the exclusive power in the making, altering, revising or amending their charter. and, within ten days after the proclamation of the governor announcing the adoption of this amendment the council of the city and county of Denver shall, by ordinance, call a special election, to be conducted as provided by law, of the qualified electors in said city and county of Denver, for the election of twenty-one taxpayers who shall have been qualified electors within the limits thereof for at least five years, who shall constitute a charter convention to frame a charter for said city and county in harmony with this amendment. Immediately upon completion, the charter so framed, with a prefatory synopsis, shall be signed by the officers and members of the convention and delivered to the clerk of said city and county who shall publish the same in full, with his official certification, in the official newspaper of said city and county, three times, and a week apart, the first publication being with the call for a special election, at which the qualified electors of said city and county shall by vote express their approval or rejection of the said charter. If the said charter shall be approved by a majority of those voting thereon, then two copies thereof (together with the vote for and against) duly certified by the said clerk, shall, within ten days after such vote is taken, be filed with the secretary of state, and shall thereupon become and be the charter of the city and county of Denver. But if the said charter be rejected, then, within thirty days thereafter, twenty-one members of a new charter convention shall be elected at a special election to be called as above in said city and county, and they shall proceed as above to frame a charter, which shall in like manner and to the like end be published and submitted to a vote of said voters for their approval or rejection. If again rejected, the procedure herein designated shall be repeated (each special election for members of a new charter convention being within thirty days after each rejection) until a charter is finally approved by a majority of those voting thereon, and certified (together with the vote for and against) to the secretary of state as aforesaid, whereupon it shall become the charter of the said city and county of Denver and shall become the organic law thereof, and supersede any existing charters and amendments thereof. The members of each of said charter conventions shall be elected at large; and they shall complete their labors within sixty days after their respective election.~~

(2) ~~Every ordinance for a special election of charter convention members shall fix the time and place where the convention shall be held, and shall specify the compensation, if any, to be paid the officers and members thereof, allowing no compensation in case of non-attendance or tardy attendance, and shall fix the time when the vote shall be taken on the proposed charter, to be not less than thirty days nor more than sixty days after its delivery to the clerk. The charter shall make proper provision for continuing, amending or repealing the ordinances of the city and county of Denver.~~

(3) ~~All expenses of charter conventions shall be paid out of the treasury upon the order of the president and secretary thereof. The expenses of elections for charter conventions and of charter votes shall be paid out of the treasury upon the order of the council.~~

(4) ~~Any franchise relating to any street, alley, or public place of the said city and county shall be subject to the initiative and referendum powers reserved to the people under section 1 of article V of this constitution. Such referendum power shall be guaranteed notwithstanding a recital in an ordinance granting such franchise that such ordinance is necessary for the immediate preservation of the public peace, health, and safety. Not more than five percent of the registered electors of a home rule city shall be required to order such referendum. Nothing in this section shall preclude a home rule charter provision which requires a lesser number of registered electors to order such referendum or which requires a franchise to be voted on by the registered electors. If such a referendum is ordered to be submitted to the registered electors, the grantee of such franchise shall deposit with the treasurer the expense (to be determined by said treasurer) of such submission. The council shall have power to fix the rate of taxation on property each year for city and county purposes.~~

Section 1 of article XXII of the constitution of the state of Colorado is amended to read:

Section 1. Repeal of intoxicating liquor laws. ~~On the thirtieth day of June, 1933, all statutory laws of the state of Colorado heretofore enacted concerning or relating to intoxicating liquors shall become void and of no effect; and from and after July 1st, 1933, The manufacture, sale and distribution of all intoxicating liquors, wholly within the state of Colorado, shall, subject to the constitution and laws of the United States, be performed exclusively by or through such agencies and under such regulations as may hereafter be provided by statutory laws of the state of Colorado; but no such laws shall ever authorize the establishment or maintenance of any saloon.~~

Repeal. Section 5 of article XXVI of the constitution of the state of Colorado is

repealed as follows:

Section 5. Severability. ~~If any provision of this article, or its application in any particular case, is held invalid, the remainder of the article and its application in all other cases shall remain unimpaired.~~

SECTION 2. Each elector voting at said election and desirous of voting for or against said amendment shall cast a vote as provided by law either "Yes" or "No" on the proposition: "AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF COLORADO, CONCERNING THE REPEAL OF OUTDATED PROVISIONS OF THE STATE CONSTITUTION RESULTING FROM OBSOLESCENCE AND APPLICABILITY TO PARTICULAR EVENTS OR CIRCUMSTANCES THAT HAVE ALREADY OCCURRED."

SECTION 3. The votes cast for the adoption or rejection of said amendment shall be canvassed and the result determined in the manner provided by law for the canvassing of votes for representatives in Congress, and if a majority of the electors voting on the question shall have voted "Yes", the said amendment shall become a part of the state constitution.

SB 00-209 by Sen. Lamborn; Rep. Kaufman--Retirement Plan Investment Standards

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

YES	33	NO	0	EXCUSED	2	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	E	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: Congrove, Tebedo.

SB 00-208 by Sen. Congrove; Rep. Mitchell--Search Warrants

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

YES	33	NO	0	EXCUSED	2	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	E	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, Linkhart, Martinez, Nichol, Phillips, Wattenberg, Wham.

HB 00-1070 by Rep. Saliman; Sen. Phillips--Temporary License Plates

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

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	Y	Perlmutter	E	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, Powers, Tebedo, Wattenberg.

SB 00-177 by Sen. Anderson; Rep. Mitchell--Hazardous Waste Commission

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.

SB 00-146 by Sen. Musgrave; Rep. McKay--Original Plates On Antique Vehicles

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: Dyer, Hernandez, Matsunaka, Powers, Tebedo Weddig.

SB 00-137 by Sen. Wham; Rep. Lawrence--Members Cap Bldg Adv Committee

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.

SB00-174 by Sen. Musgrave; Rep. McKay--Workers' Compensation Premiums

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: Arnold, Tebedo.

SB00-042 by Sen. Sullivan; Rep. Gotlieb--Council For Persons With Disabilities

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: Hernandez, Linkhart, Pascoe, Reeves, Rupert.

SCR00-006 by Sen. Chlouber; Rep. McPherson--Eliminating Office of Lieutenant Governor

Call of Senate
Call of Senate.

Call Raised.

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Anderson	N	Evans	Y	Musgrave	N	Tanner	N
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	N
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	N	Thiebaut	Y
Chlouber	Y	Lacy	Y	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	N	Linkhart	N	Reeves	N	Wham	Y
Dyer	Y	Martinez	N	Rupert	N	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivan	Y		

A constitutional two-thirds majority of all members elected to the Senate having voted in the affirmative, the concurrent resolution was declared PASSED.

Co-sponsor added: Dyer.

SCR00-006Be It Resolved by the Senate of the Sixty-second General Assembly of the State of Colorado, the House of Representatives concurring herein:

SECTION 1. At the next election at which such question may be submitted, there shall be submitted to the registered electors of the state of Colorado, for their approval or rejection, the following amendment to the constitution of the state of Colorado, to wit:

Section 1 of article IV of the constitution of the state of Colorado is amended BY THE ADDITION OF A NEW SUBSECTION to read:

Section 1. Officers - terms of office. (3) THE OFFICE OF LIEUTENANT GOVERNOR IS ABOLISHED COMMENCING WITH THE TERM OF OFFICE THAT WOULD OTHERWISE BEGIN ON JANUARY 14, 2003.

Section 3 of article IV of the constitution of the state of Colorado is amended to read:

Section 3. State officers - election - returns. The officers named in section one of this article shall be chosen on the day of the general election, by the registered electors of the state. ~~The governor and the lieutenant governor shall be chosen jointly by the casting by each voter of a single vote applicable to both offices.~~ The returns of every election for said officers shall be sealed up and transmitted to the secretary of state, directed to the speaker of the house of representatives, who shall immediately, upon the organization of the house, and before proceeding to other business, open and publish the same in the presence of a majority of the members of both houses of the general assembly, who shall for that purpose assemble in the house of representatives. ~~The joint candidates having the highest number of votes cast for governor and lieutenant governor, and~~ The person having the highest number of votes for any other office, shall be declared duly elected, but if two or more have an equal and the highest number of votes for the same office or offices, one of them or any two for whom joint votes were cast for governor and lieutenant governor respectively, shall be chosen thereto by the two houses, on joint ballot. Contested elections for the said offices shall be determined by the two houses, on joint ballot, in such manner as may be prescribed by law.

Section 4 of article IV of the constitution of the state of Colorado is amended to read:

Section 4. Qualifications of state officers. No person shall be eligible to the office of governor or lieutenant governor unless he shall have attained the age of thirty years, nor to the office of secretary of state or state treasurer unless he shall have attained the age of twenty-five years, nor to the office of attorney general unless he shall have attained the age of twenty-five years and be a licensed attorney of the supreme court of the state in good standing, and no person shall be eligible to any one of said offices unless, in addition to the qualifications above prescribed therefor, he shall be a citizen of the United States, and have resided within the limits of the state two years next preceding his election.

Section 13 of article IV of the constitution of the state of Colorado is amended to read:

Section 13. Succession to the office of governor. (1) In the case of the death, impeachment, conviction of a felony, or resignation of the governor, the office of governor shall be vacant. ~~and the lieutenant governor shall take the oath of office and shall become governor.~~

(2) ~~Whenever there is a vacancy in the office of the lieutenant governor, because of death, impeachment, conviction of a felony, or resignation, the governor shall nominate a lieutenant governor who shall take office upon confirmation by a majority vote of both houses of the general assembly. If the person nominated is a member of the general assembly, he may take the oath of office of lieutenant governor, and the legislative seat to which he was elected shall be vacant and filled in the manner prescribed by law pursuant to section 2 of article V of this constitution.~~

(3) In the event that the governor-elect fails to assume the office of governor because of death, resignation, or conviction of a felony, or refuses to take the oath of office, the lieutenant governor-elect shall take the oath of office and shall become governor on the second Tuesday in January in accordance with the provisions of section 1 of article IV of this constitution. ~~In the event the lieutenant governor-elect fails to assume the office of lieutenant governor because of death, resignation, or conviction of a felony, or refuses to take the oath of office, the governor-elect upon taking office shall nominate a lieutenant governor who shall take the oath of office upon confirmation by a majority vote of both houses of the general assembly. If the person nominated is a member of the general assembly, he may take the oath of office of lieutenant governor, and the legislative seat to which he was elected shall be vacant and filled in the manner prescribed by law pursuant to section 2 of article V of this constitution.~~ OFFICE OF THE GOVERNOR SHALL BE VACANT.

(4) ~~In the event the lieutenant governor or lieutenant governor-elect accedes to the office of governor because of a vacancy in said office for any of the causes enumerated in subsections (1) and (3) of this section, the office of lieutenant governor shall be vacant. Upon taking office, the new governor shall nominate a lieutenant governor who shall take the oath of office upon confirmation by a majority vote of both houses of the general assembly. If the person nominated is a member of the general assembly, he may take the oath of office of lieutenant governor, and the legislative seat to which he was elected shall be vacant and filled in the manner prescribed by law pursuant to section 2 of article V of this constitution.~~

(5) ~~In the event the governor or lieutenant governor, or governor-elect or lieutenant governor-elect, at the time either of the latter is to take the oath of office, is absent from the state or is suffering from a physical or mental disability, the powers and duties of the office of governor and the office of lieutenant governor shall, until the absence or disability ceases, temporarily devolve upon the lieutenant governor, in the case of the~~

governor, and, in the case of the lieutenant governor, upon the first named member of the general assembly listed in subsection (7) of this section who is affiliated with the same political party as the lieutenant governor; except that if the lieutenant governor and none of said members of the general assembly are affiliated with the same political party, the temporary vacancy in the office of lieutenant governor shall be filled by the first named member in said subsection (7). In the event that the offices of both the governor and lieutenant governor are vacant at the same time for any of the reasons enumerated in this subsection (5), the successors to fill the vacancy in the office of governor and in the office of lieutenant governor shall be, respectively, the first and second named members of the general assembly listed in subsection (7) of this section who are affiliated with the same political party as the governor; except that if the governor and none of said members of the general assembly are affiliated with the same political party, the vacancy in the office of governor and the vacancy in the office of lieutenant governor, respectively, shall be filled by the first and second named members in said subsection (7). The pro rata salary of the governor or lieutenant governor shall be paid to his successor for as long as he serves in such capacity, during which time he shall receive no other salary from the state.

(6) The governor or governor-elect lieutenant governor or lieutenant governor-elect, or person acting as governor or lieutenant governor may transmit to the president of the senate and the speaker of the house of representatives his written declaration that he suffers from a physical or mental disability and he is unable to properly discharge the powers and duties of the office of governor. or lieutenant governor. In the event no such written declaration has been made, his physical or mental disability shall be determined by a majority of the supreme court after a hearing held pursuant to a joint request submitted by joint resolution adopted by two-thirds of all members of each house of the general assembly. Such determination shall be final and conclusive. The supreme court, upon its own initiative, shall determine if and when such disability ceases.

(7) In the event that the offices OFFICE of both the governor and lieutenant governor are IS vacant at the same time for any of the reasons enumerated in subsections (1) (2); and (3) of this section, the successor to fill the vacancy in the office of governor shall be the first named of the following members of the general assembly who is affiliated with the same political party as the governor: President of the senate, speaker of the house of representatives, minority leader of the senate, or minority leader of the house of representatives; except that if the governor and none of said members of the general assembly are affiliated with the same political party, the vacancy shall be filled by one such member in the order of precedence listed in this subsection (7). The member filling the vacancy pursuant to this subsection (7) shall take the oath of office of governor and shall become governor, AND THE LEGISLATIVE SEAT TO WHICH HE OR SHE WAS ELECTED SHALL BE VACANT AND FILLED IN THE MANNER PRESCRIBED BY LAW PURSUANT TO SECTION 2 OF ARTICLE V OF THIS CONSTITUTION. The office of lieutenant governor shall be filled in the same manner as prescribed in subsection (3) of this section when the lieutenant governor-elect fails to assume the office of lieutenant governor.

Section 22 of article IV of the constitution of the state of Colorado is amended to read:
Section 22. Principal departments. All executive and administrative offices, agencies, and instrumentalities of the executive department of state government and their respective functions, powers, and duties, except for the office of governor, and lieutenant governor, shall be allocated by law among and within not more than twenty departments by no later than June 30, 1968. Subsequently, all new powers or functions shall be assigned to departments, divisions, sections, or units in such manner as will tend to provide an orderly arrangement in the administrative organization of state government. Temporary commissions may be established by law and need not be allocated within a principal department. Nothing in this section shall supersede the provisions of section 13, article XII, of this constitution, except that the classified civil service of the state shall not extend to heads of principal departments established pursuant to this section.

Section 13 (2) of article XII of the constitution of the state of Colorado is amended to read:

Section 13. Personnel system of state - merit system. (2) The personnel system of the state shall comprise all appointive public officers and employees of the state, except the following: Members of the public utilities commission, the industrial commission of Colorado, the state board of land commissioners, the Colorado tax commission, the state parole board, and the state personnel board; members of any board or commission serving without compensation except for per diem allowances provided by law and reimbursement of expenses; the employees in the offices OFFICE of the governor and the lieutenant governor whose functions are confined to such offices OFFICE and whose duties are concerned only with the administration thereof; appointees to fill vacancies in elective offices; one deputy of each elective officer other than the governor and lieutenant governor specified in section 1 of article IV of this constitution; officers otherwise specified in this constitution; faculty members of educational institutions and departments not reformatory or charitable in character, and such administrators thereof as may be exempt by law; students and inmates in state educational or other institutions employed therein; attorneys at law serving as assistant attorneys general; and members, officers, and employees of the legislative and judicial departments of the state, unless otherwise specifically provided in this constitution.

Section 1 of article XIII of the constitution of the state of Colorado is amended to read:
Section 1. House impeach - senate try - conviction - when chief justice presides. The house of representatives shall have the sole power of impeachment. The concurrence of a majority of all the members shall be necessary to an impeachment. All impeachments shall be tried by the senate, and when sitting for that purpose, the senators shall be upon oath or affirmation to do justice according to law and evidence. When the governor or lieutenant-governor is on trial, the chief justice of the supreme court shall preside. No person shall be convicted without a concurrence of two-thirds of the senators elected.

Section 4 of article XXI of the constitution of the state of Colorado is amended to read:
Section 4. Limitation - municipal corporations may adopt, when. No recall petition shall be circulated or filed against any officer until he has actually held his office for at least six months, save and except it may be filed against any member of the state legislature at any time after five days from the convening and organizing of the legislature after his election.

After one recall petition and election, no further petition shall be filed against the same officer during the term for which he was elected, unless the petitioners signing said petition shall equal fifty percent of the votes cast at the last preceding general election for all of the candidates for the office held by such officer as herein above defined.

In any recall election of a state elective officer, if the incumbent whose recall is sought is not recalled, he shall be repaid from the state treasury for the expenses of such election in the manner provided by law. The general assembly may establish procedures for the reimbursement by a local governmental entity of expenses incurred by an incumbent elective officer of such governmental entity whose recall is sought but who is not recalled.

If the governor is sought to be recalled under the provisions of this article, the duties herein imposed upon him shall be performed by the ~~lieutenant-governor~~ FIRST NAMED MEMBER OF THE GENERAL ASSEMBLY LISTED IN SUBSECTION (7) OF SECTION 13 OF ARTICLE IV OF THIS CONSTITUTION WHO IS AFFILIATED WITH THE SAME POLITICAL PARTY AS THE GOVERNOR; EXCEPT THAT, IF NONE OF THE SAID MEMBERS OF THE GENERAL ASSEMBLY ARE AFFILIATED WITH THE SAME POLITICAL PARTY, THE TEMPORARY VACANCY OF THE OFFICE OF GOVERNOR SHALL BE FILLED BY THE FIRST NAMED MEMBER IN SAID SUBSECTION (7); and if the secretary of state is sought to be recalled, the duties herein imposed upon him, shall be performed by the state auditor.

The recall may also be exercised by the registered electors of each county, city and county, city and town of the state, with reference to the elective officers thereof, under such procedure as shall be provided by law.

Until otherwise provided by law, the legislative body of any such county, city and county, city and town may provide for the manner of exercising such recall powers in such counties, cities and counties, cities and towns, but shall not require any such recall to be signed by registered electors more in number than twenty-five percent of the entire vote cast at the last preceding election, as in section 1 hereof more particularly set forth, for all the candidates for office which the incumbent sought to be recalled occupies, as herein above defined.

Every person having authority to exercise or exercising any public or governmental duty, power or function, shall be an elective officer, or one appointed, drawn or designated in accordance with law by an elective officer or officers, or by some board, commission, person or persons legally appointed by an elective officer or officers, each of which said elective officers shall be subject to the recall provision of this constitution; provided, that, subject to regulation by law, any person may, without compensation therefor, file petitions, or complaints in courts concerning crimes, or do police duty only in cases of immediate danger to person or property.

Nothing herein contained shall be construed as affecting or limiting the present or future powers of cities and counties or cities having charters adopted under the authority given by the constitution, except as in the last three preceding paragraphs expressed.

In the submission to the electors of any petition proposed under this article, all officers shall be guided by the general laws of the state, except as otherwise herein provided.

This article is self-executing, but legislation may be enacted to facilitate its operations, but in no way limiting or restricting the provisions of this article, or the powers herein reserved.

SECTION 2. Each elector voting at said election and desirous of voting for or against said amendment shall cast a vote as provided by law either "Yes" or "No" on the proposition: "AN AMENDMENT TO ARTICLES IV, XII, XIII, AND XXI OF THE CONSTITUTION OF THE STATE OF COLORADO, ELIMINATING THE OFFICE OF LIEUTENANT GOVERNOR, AND, IN CONNECTION THEREWITH, DELETING ALL REFERENCES TO SAID OFFICE IN THE CONSTITUTION AND MODIFYING THE ORDER OF SUCCESSION TO FILL A VACANCY IN THE OFFICE OF GOVERNOR."

SECTION 3. The votes cast for the adoption or rejection of said amendment shall be canvassed and the result determined in the manner provided by law for the canvassing of votes for representatives in Congress, and if a majority of the electors voting on the question shall have voted "Yes", the amendment to section 1 of article IV shall become a part of the state constitution effective upon on the date of the official declaration of the vote thereon by proclamation of the governor and the remainder of the amendment to

articles IV, XII, XIII, and XXI shall become a part of the state constitution effective January 14, 2003.

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 Conference Committee Report on HB00-1314.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

HB 00-1314 by Rep. Johnson; Senator Wattenberg--Endangered Species Reintroduction

Senator Wattenberg moved for the adoption of the First Report of the First Conference Committee on HB00-1314, printed in Senate Journal, April 7, pages 892-893. 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 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, as amended, was declared REPASSED.

Committee of the Whole

On motion of Senator Arnold, the Senate resolved itself into Committee of the Whole for consideration of General Orders and Senator Arnold 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 00-049 by Sen. Feeley; Rep. Tate--Special Ed Children With Disabilities

Laid over until Thursday, April 13, retaining its place on the calendar.

SB 00-184 by Sen. Evans; Rep. Lee--Underground Facility Damage Prevention

Amendment No. 1, Business Affairs and Labor Committee Amendment
(Printed in Senate Journal, February 18, pages 355-357.)

Amendment No. 2, Appropriations Committee Amendment
(Printed in Senate Journal, April 6, page 870.)

Amendment No. 3, by Senator Evans

Amend the committee amendment, as printed in Senate Journal, February 18, page 355, strike lines 62 and 63;

line 65, before "line 5," insert "Page 3,".

Page 356, strike lines 18 through 23;

line 25, before "strike " insert "Page 4,";

line 33, strike "11 and" and substitute "9 through";

strike lines 35 through 37 and substitute the following:

"NOTIFICATION association or the owner or operator and may proceed and shall not be liable for such damage except upon proof of such excavator's ~~negligence~~ LACK OF REASONABLE CARE.".

Amendment No. 4, by Senator Evans

Amend printed bill, page 8, line 7, strike "TREBLE THE AMOUNT THAT WOULD" and substitute "UP TO SEVENTY-FIVE THOUSAND DOLLARS.";

strike line 8.

Page 9, line 26, strike TREBLE THE AMOUNT THAT WOULD OTHERWISE BE IMPOSED." and substitute "UP TO SEVENTY-FIVE THOUSAND DOLLARS.".

Amendment No. 5, by Senator Evans

Amend the committee amendment, as printed in Senate Journal, February 18, page 356, line 29, strike "EXERCISE SUCH" and substitute "NOT BE LIABLE EXCEPT UPON PROOF OF SUCH EXCAVATOR'S LACK OF".

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

SB 00-054 by Sen. Pascoe; Rep. Lawrence--Organ & Tissue Registry

Amendment No. 1, Health, Environment, Welfare and Institutions Committee Amendment
(Printed in Senate Journal, January 24, pages 147-148.)

Amendment No. 2, Appropriations Committee Amendment
(Printed in Senate Journal, April 6, pages 870-871.)

Amendment No. 3, by Senator Pascoe

Amend printed bill, page 15, strike lines 1 through 6 and substitute the following:

"SECTION 12. 24-72-204 (7) (b), Colorado Revised Statutes, as amended by Senate Bill 00-011, enacted at the Second Regular Session of the Sixty-second General Assembly, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

24-72-204. Allowance or denial of inspection - grounds - procedure - appeal. (7) (b) Notwithstanding the provisions of paragraph (a) of this subsection (7), only upon obtaining a completed requestor release form under section 42-1-206 (1) (b), C.R.S., the department may

allow inspection of the information referred to in paragraph (a) of this subsection (7) for the following uses:

(XV) FOR USE BY THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY FOR THE PURPOSES OF CREATING AND MAINTAINING THE ORGAN AND TISSUE DONOR REGISTRY CREATED IN SECTION 12-34-110, C.R.S.

SECTION 13. 42-2-107 (4) (b), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

42-2-107. Application for license or instruction permit - anatomical gifts - donations to organ and tissue donation awareness fund - legislative declaration - repeal. (4) (b) (V.5) DESIGNATION ON A DONOR'S DRIVER'S LICENSE OR PERMIT SHALL FULFILL THE RELEASE REQUIREMENTS SET FORTH IN SECTION 24-72-204 (7) (b), C.R.S.

SECTION 14. **Effective date - applicability.** This act shall take effect July 1, 2000, and shall apply to all licenses issued by the department of revenue through the division of driver services, any will or last testament executed, or other documentation indicating organ or tissue donation, amendment thereto, or revocation in effect thereof on or after said date; except that sections 12 and 13 of this act shall only take effect if Senate Bill 00-011 becomes law."

Renumber succeeding section accordingly

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

HB 00-1262 by Rep. Kaufman; Senator Lamborn--Uniform Child-custody Jurisdiction Act
Ordered revised and placed on the calendar for Third Reading and Final Passage.

SB 00-044 by Sen. Reeves; Rep. Scott--Treasurer's Technical Assist Program
Amendment No. 1, State, Veterans, and Military Affairs Committee Amendment
(Printed in Senate Journal, January 14, page 97.)
As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.

SB 00-076 by Sen. Owen; Rep. King--State Defined Contribution Plan Changes
Amendment No. 1, State, Veterans, and Military Affairs Committee Amendment
(Printed in Senate Journal, February 7, page 228.)
Amendment No. 2, Appropriations Committee Amendment
(Printed in Senate Journal, April 6, page 876.)
As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.

SB 00-163 by Sen. Dyer; Rep. George--Drug Court Demonstration Programs
Amendment No. 1, Appropriations Committee Amendment
(Printed in Senate Journal, April 3, page 820.)
Amendment No. 2, by Senator Dyer
Amend the Appropriations Committee Report, as printed in the Senate Journal, April 3, 2000, page 820, strike line 13 and substitute the following:

"Amend printed bill, page 2, line 18, after "SELECT", insert "UP TO".

Page 3, line 25, strike "2006," and substitute "2004,".

Page 4, after line 4, insert the following:

"(5) FOR FISCAL YEARS COMMENCING JULY 1, 2001, AND FOR FISCAL YEARS THEREAFTER, THE DEMONSTRATION PROGRAM IN ANY JUDICIAL DISTRICT SHALL ONLY CONTINUE IF MONEYS FOR SUCH PROGRAM ARE CONTAINED IN THE PLAN, SUBMITTED PURSUANT TO SECTION 16-11.5-102 (3), FOR THE ALLOCATION OF MONEYS FROM THE DRUG OFFENDER SURCHARGE FUND."

Renumber succeeding subsection accordingly.

Page 4, line 5, strike "2006." and substitute "2004.";

after line 5, insert the following:";

strike lines 19 and 20 of the Committee Report and substitute the following:

"2000, the sum of five hundred thirty-five thousand ninety-two dollars (\$535,092) and 5.6 FTE, or so much thereof as may be necessary,";

line 21 of the Committee Report, strike "five hundred ninety-four" and substitute "four hundred sixty-one thousand one hundred seventy-nine dollars (\$)" and 4.0 FTE, or so much";

strike line 22 of the Committee Report.

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

HB 00-1383 by Rep. Decker; Senator Lamborn--Age Of Retirement For Workers' Comp

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

SB 00-212 by Sen. Weddig; Rep. Allen--Cede Jurisdiction To Buckley Field

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

SB 00-084 by Sen. Chlouber--Multistate Lottery Games

Amendment No. 1, Appropriations Committee Amendment
(Printed in Senate Journal, April 10, page 909.)

As amended, declared LOST on Second Reading. (For further action, see page 951 where the Chlouber amendment to the Report of the Committee of the Whole was adopted, and SB00-084, as amended, was laid over until Thursday, April 13, retaining its place on the calendar.)

SB 00-211 by Sen. Owen; Rep. Tool--State Employee Pay Plan

Amendment No. 1, Business Affairs and Labor Committee Amendment
(Printed in Senate Journal, April 6, page 875.)

Amendment No. 2, Appropriations Committee Amendment
(Printed in Senate Journal, April 10, page 909.)

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

SB 00-175 by Sen. Andrews; Rep. Mitchell--Judicial Performance Commissions
(Amended in General Orders as printed in Senate Journal, April 4, page 829.)

Amendment No. 1, by Senator Andrews

Amend printed bill, page 3, line 1, after "LEVEL.", insert "THE COMMISSION SHALL ALSO DEVELOP AN EXPLANATORY NOTE TO ASSIST VOTERS IN ASSESSING THE SIGNIFICANCE OF THE OBJECTIVE INDICATORS AS A MEASUREMENT OF JUDICIAL PERFORMANCE.";

line 7, strike "INDICATORS," and substitute "INDICATORS AND THEIR EXPLANATORY NOTE,";

line 21, after "INDICATORS", insert "AND THEIR EXPLANATORY NOTE".

Page 5, line 1, strike "INDICATORS," and substitute "INDICATORS AND THEIR EXPLANATORY NOTE,";

line 4, strike "INDICATORS," and substitute "INDICATORS AND THEIR EXPLANATORY NOTE,".

Page 6, line 7, strike "INDICATORS," and substitute "INDICATORS AND THEIR EXPLANATORY NOTE,";

line 10, after "INDICATORS", insert "AND THEIR EXPLANATORY NOTE".

Page 7, line 14, strike "INDICATORS," and substitute "INDICATORS AND THEIR EXPLANATORY NOTE,";

line 17, strike "INDICATORS," and substitute "INDICATORS AND THEIR EXPLANATORY NOTE,".

Page 8, line 21, strike "INDICATORS," and substitute "INDICATORS AND THEIR EXPLANATORY NOTE,".

As amended, declared LOST on Second Reading.

SB 00-122 by Sen. Lacy; Rep. Dean--Limited Gaming Fund Distributions
Laid over until Thursday, April 13, retaining its place on the calendar.

SB 00-173 by Sen. Evans; Rep. Gotlieb--State Charter Schools
Laid over until Thursday, April 13, retaining its place on the calendar.

SB 00-128 by Sen. Lacy; Rep. Dean--Nursing Facility Medicaid Reimbursement
Laid over until Thursday, April 13, retaining its place on the calendar.

SB 00-019 by Sen. Wham; Rep. Alexander--Consolidated Child Care Services
Amendment No. 1, Health, Environment, Welfare and Institutions Committee Amendment
(Printed in Senate Journal, February 7, pages 235-237.)
Amendment No. 2, Appropriations Committee Amendment
(Printed in Senate Journal, April 10, page 911.)

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

SB 00-180 by Sen. Wham; Rep. Young--Emergency Medical & Trauma Services
Amendment No. 1, Health, Environment, Welfare and Institutions Committee Amendment
(Printed in Senate Journal, March 6, pages 517-522.)
Amendment No. 2, Appropriations Committee Amendment
(Printed in Senate Journal, April 10, pages 911-912.)
As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.

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.

AMENDMENT TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB 00-084 by Sen. Chlouber--Multistate Lottery Games
Senator Chlouber moved to amend the Report of the Committee of the Whole to show that SB00-084, as amended, laid over until Thursday, April 13.
A majority of all members elected to the Senate having voted in the affirmative, the motion was declared PASSED.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Arnold, the Report of the Committee of the Whole, as amended, was adopted and, a majority of all members elected having voted in the affirmative, the following action was taken:
SB00-212, HB00-1262, HB00-1383 declared passed on Second Reading.
SB00-184, as amended; SB00-054, as amended; SB00-044, as amended; SB00-076, as amended; SB00-163, as amended; SB00-211, as amended; SB00-019, as amended; SB00-180, as amended, declared passed on Second Reading.
SB00-175, as amended, declared lost on Second Reading.
SB00-49, SB00-122, SB00-173, SB00-128 laid over until Thursday, April 13, retaining their place on the calendar.
SB00-084, as amended, laid over until Thursday, April 13, retaining its place on the calendar.

Senate in recess.

Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Finance After consideration on the merits, the committee recommends that the following be referred favorably to the Committee on Business Affairs & Labor: HB00-1270

Agriculture, Natural Resources and Energy After consideration on the merits, the committee recommends that SB00-217 be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 4, after line 18, insert the following:

"SECTION 2. 12-60-301 (1) (b), Colorado Revised Statutes, is amended to read:

12-60-301. Racing commission - creation. (1) There is hereby created, within the division of racing events, the Colorado racing commission. The commission shall consist of five members, all of whom shall be citizens of the United States and shall have been residents of this state for the past five years. The members shall be appointed by the governor, with the consent and approval of the senate. No member shall have been convicted of a felony or gambling-related offense, notwithstanding the provisions of section 24-5-101, C.R.S. No more than three of the five members shall be members of the same political party. At the first meeting of each fiscal year, a chair and vice-chair of the commission shall be chosen from the membership by a majority of the members. Membership and operation of the commission shall additionally meet the following requirements:

(b) Initial members shall be appointed to the commission by the governor as follows: One member to serve until July 1, 1993, one member to serve until July 1, 1994, one member to serve until July 1, 1995, and two members to serve until July 1, 1996. All subsequent appointments shall be for terms of four years. ~~No member of the commission shall be eligible to serve more than two consecutive terms."~~

Renumber succeeding sections accordingly.

State,
Veterans,
and Military
Affairs

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee on Finance: SCR00-004

State,
Veterans,
and Military
Affairs

After consideration on the merits, the committee recommends that the following be postponed indefinitely: HB00-1349

MESSAGE FROM THE HOUSE

April 12, 2000

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB00-1463.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB00-1100, amended as printed in House Journal, April 11, pages 1431-1432.
HB00-1169, amended as printed in House Journal, April 11, pages 1426-1427.
HB00-1183, amended as printed in House Journal, April 11, page 1427.
HB00-1227, amended as printed in House Journal, April 11, pages 1427-1428.
HB00-1305, amended as printed in House Journal, April 11, page 1428.
HB00-1327, amended as printed in House Journal, April 11, page 1428.
HB00-1337, amended as printed in House Journal, April 11, page 1432.
HB00-1350, amended as printed in House Journal, April 11, page 1432.
HB00-1355, amended as printed in House Journal, April 11, pages 1428-1429.
HB00-1389, amended as printed in House Journal, April 11, page 1430.
HB00-1395, amended as printed in House Journal, April 11, pages 1429-1430.
HB00-1465, amended as printed in House Journal, April 11, page 1430.

INTRODUCTION OF BILLS

The following bills were read by title and referred to the committees indicated:

- SB
- 00-223
- by Senators Owen, Lacy and Tanner; also Representatives Saliman, Berry and Tool--
Concerning changes to the non-medicaid state-subsidized insurance program known as the
"Children's Basic Health Plan".
Health, Environment, Welfare & Institutions
- SB
- 00-224
- by Senator Dyer; also Representative Larson--Concerning the revocation of Colorado
driving privileges after the revocation of tribal driving privileges under tribal law.
Transportation
- HB
- 00-1437
- by Representative George; also Senator Chlouber--Concerning rural transportation
authorities.
Local Government

SECOND REPORT OF FIRST CONFERENCE COMMITTEE
ON HB00-1186

THIS REPORT AMENDS THE
REREVISED BILL
AND IS A CORRECTED REPORT

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

Your first conference committee appointed on HB00-1186, concerning the relationship
between motor vehicle dealers and manufacturers, has met and reports that it has agreed
upon the following:

1. That the House accede to the Senate amendments made to the bill, as said
amendments appear in the rerevised bill.
2. That, under the authority granted the committee to consider matters not at issue
between the two houses, the following amendments be recommended:
- Amend rerevised bill, page 6, line 25, strike "DEALERSHIP" and substitute "DEALER".
- Page 7, line 3, strike "ITS DEALERSHIP," and substitute "THE MOTOR VEHICLE DEALER,";
- line 4, strike "DEALERSHIP" and substitute "DEALER".
- Page 8, line 3, strike "**dealership**" and substitute "**dealer**";
- line 4, strike "**dealership**" and substitute "**dealer**";
- line 6, strike "DEALERSHIP," and substitute "DEALER,";
- line 7, strike "DEALERSHIP," and substitute "DEALER," and strike "DEALERSHIP" and
substitute "DEALER";
- line 10, strike "DEALERSHIP" and substitute "DEALER";
- line 13, strike "DEALERSHIP" and substitute "DEALER";
- line 25, strike "DEALERSHIP." and substitute "DEALER.".
- Page 9, line 1, strike "DEALERSHIP" and substitute "DEALER";
- line 3, strike "DEALERSHIP," and substitute "DEALER,";
- line 13, strike "DEALERSHIP;" and substitute "DEALER;";
- line 15, strike "DEALERSHIP" and substitute "DEALER";

line 18, strike "DEALERSHIP" and substitute "DEALER".

Page 10, line 5, strike "DEALERSHIP" and substitute "DEALER";

line 13, strike "**dealership**" and substitute "**dealer**";

line 16, strike "DEALERSHIP" and substitute "DEALER";

line 19, strike "DEALERSHIP" and substitute "DEALER";

line 22, strike "DEALERSHIP" and substitute "DEALER";

line 23, strike "DEALERSHIP" and substitute "DEALER";

line 24, strike "DEALERSHIP;" and substitute "DEALER;"

line 25, strike "DEALERSHIP" and substitute "DEALER".

Page 11, line 2, strike "DEALERSHIP" and substitute "DEALER";

line 3, strike "DEALERSHIP" and substitute "DEALER";

line 4, strike "OR DEALERSHIPS";

line 17, strike "DEALERSHIP." and substitute "DEALER.";

line 20, strike "DEALERSHIP," and substitute "DEALER,".

Page 12, line 7, strike "DEALERSHIP" and substitute "DEALER".

Page 13, line 8, strike "DEALERSHIP;" and substitute "DEALER;".

Page 14, line 2, strike "DEALERSHIP" and substitute "DEALER".

Page 15, line 6, strike "DEALERSHIP" and substitute "DEALER".

Respectfully submitted,

House Committee:	Senate Committee:
(Signed)	(Signed)
Rep. Russell George, Chairman	Sen. Norma Anderson, Chairman
Rep. Joseph Stengel	Sen. Ginette Dennis
Rep. Val Vigil	Sen. Jim Dyer

Call of Senate

Call of Senate.

Call Raised.

Committee of the Whole

On motion of Senator Arnold, the Senate resolved itself into Committee of the Whole for consideration of General Orders and Senator Arnold 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	00-181	by Sen. Wham; Rep. George--Funding K-12 Capital Construction Needs	1
		<u>Amendment No. 1, Appropriations Committee Amendment</u>	2
		(Printed in Senate Journal, April 10, page 912.)	3
		As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	4
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SB	00-063	by Sen. Arnold; Rep. Keller--Family Crisis Intervention Act	10
		Laid over until Thursday, April 13, retaining its place on the calendar.	11
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SB	00-136	by Sen. Nichol; Rep. Mitchell--Central Registry For Child Protection	17
		<u>Amendment No. 1, Appropriations Committee Amendment</u>	18
		(Printed in Senate Journal, April 10, pages 915-916.)	19
		As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	20
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SB	00-185	by Sen. Phillips; Rep. Hagedorn--Senior Assistance Grant Eligibility	27
		<u>Amendment No. 1, Appropriations Committee Amendment</u>	28
		(Printed in Senate Journal, April 10, page 916.)	29
		As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	30
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SB	00-199	by Sen. Blickensderfer; Rep. Scott--Use Excess State Revenues For Monorail	38
		Laid over until Thursday, April 13, retaining its place on the calendar.	39
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SB	00-194	by Sen. Rupert; Rep. Larson--Commission on Hearing Impairments	44
		<u>Amendment No. 1, Health, Environment, Welfare and Institutions Committee Amendment</u>	45
		(Printed in Senate Journal, February 24, pages 415-416.)	46
		<u>Amendment No. 2, Appropriations Committee Amendment</u>	47
		(Printed in Senate Journal, April 6, page 871.)	48
		As amended, laid over until Thursday, April 13, retaining its place on the calendar.	49
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SB	00-062	by Sen. Arnold; Rep. Tupa--Crim Hist Record Checks For Child Care	57
		Laid over until Thursday, April 13, retaining its place on the calendar.	58
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SB	00-121	by Sen. Lamborn; Rep. Mitchell--DNA Testing Of Convicted Felons	63
		<u>Amendment No. 1, Judiciary Committee Amendment</u>	64
		(Printed in Senate Journal, February 10, page 257.)	65
		<u>Amendment No. 2, Appropriations Committee Amendment</u>	66
		(Printed in Senate Journal, April 10, pages 912-913.)	67
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Amendment No. 3, by Senator Martinez

Amend printed bill, page 4, after line 5, insert the following:

"**SECTION 2.** Part 4 of article 11 of title 16, Colorado Revised Statutes, is amended BY THE ADDITION OF NEW SECTION to read:

16-11-401.5. Genetic testing prior to execution. PRIOR TO THE EXECUTION OF THE DEATH PENALTY PURSUANT TO THIS PART 4, THE JUDICIAL DEPARTMENT SHALL OBTAIN THE CHEMICAL TESTING OF THE CONVICTED OFFENDER’S BLOOD TO DETERMINE THE GENETIC MARKERS THEREOF."

Renumber succeeding sections accordingly.

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

HB 00-1368 by Rep. Lee; Senator Blickensderfer--State Licensing Of Res Facilities

Laid over until Thursday, April 13, retaining its place on the calendar.

HB 00-1173 by Rep. Lawrence; Senator Arnold--Teacher Development Schedules

Laid over until Thursday, April 13, retaining its place on the calendar.

SB 00-115 by Sen. Blickensderfer; Rep. King--K-12 Capital Construction

Laid over until Thursday, April 13, retaining its place on the calendar.

SB 00-092 by Sen. Linkhart; Rep. Leyba--Probation Supervision Fees

Amendment No. 1, Judiciary Committee Amendment
(Printed in Senate Journal, April 10, page 258.)

Amendment No. 2, Appropriations Committee Amendment
(Printed in Senate Journal, April 10, page 911.)

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 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:

SB00-181, as amended; SB00-136, as amended; SB00-185, as amended; SB00-121, as amended; SB00-092, as amended, declared passed on Second Reading.
SB00-063, SB00-199, SB00-062, SB00-115, HB00-1368, HB00-1173 laid over until Thursday, April 13, retaining their place on the calendar.
SB00-194, as amended, laid over until Thursday, April 13, retaining its 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 Regents’ appointments.

CONSIDERATION OF REGENTS’ APPOINTMENTS

On motion of Senators Evans and Arnold, the following Regents’ appointments were confirmed by a roll call vote:

UNIVERSITY OF COLORADO HOSPITAL AUTHORITY
BOARD OF DIRECTORS

Sally Hopper, as a resident of the Sixth Congressional District, reappointed, effective October 1, 1999, and expiring on September 30, 2003;

Richard L. Monfort, as a resident of the Fourth Congressional District, reappointed, effective October 1, 1999, and expiring on September 30, 2003;

Douglas L. Polson, as a resident of the Fifth Congressional District, reappointed, effective October 1, 1999, and expiring on September 30, 2003.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	E	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		

CONSIDERATION OF GOVERNOR’S APPOINTMENTS

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

COLORADO INTERMOUNTAIN FIXED GUIDEWAY AUTHORITY

for terms expiring July 1, 2001:

Joseph A. Jehn of Arvada, Colorado, to serve as a representative of the Transportation Commission, a Republican, and to replace William Haight who resigned, appointed;

John B. Brockmeyer of Arvada, Colorado and to serve as a Republican and to replace Howard B. Gelt who was withdrawn, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	E	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		

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

COLORADO AERONAUTICAL BOARD

for terms expiring December 19, 2002:

Terrance M. Sargent of Montrose, Colorado, to represent an airport managers’ association and to serve as a Republican, appointed;

E. Patrick Wiesner of Castle Rock, Colorado, to represent a pilots association and to serve as a Republican, appointed.

YES	32	NO	2	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	Y
Andrews	E	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	N
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	N	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 Wattenberg, the following Governor’s appointments were confirmed by a roll call vote:

COLORADO WATER CONSERVATION BOARD

for terms expiring February 12, 2003:

Eric W. Wilkinson of Fort Collins, Colorado, to serve as a representative of the South Platte drainage basin and as a Republican, appointed;

Robert O. Burr of Walden, Colorado, to serve as a representative of the North Platte drainage basin and as a Republican, reappointed;

Marcus "Keith" Catlin of Montrose, Colorado, to serve as a representative of the Gunnison-Uncompahgre drainage basin and as a Democrat, appointed.

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		

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB 00-1151 by Rep. Gotlieb; Senator Evans--Licenses For Out-of-state Educators

Senator Evans moved for the adoption of the First Report of the First Conference Committee on HB00-1151, printed in Senate Journal, April 3, pages 822-823. 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 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	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	Y		

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

Co-sponsor added: Weddig.

SB 00-087 by Sen. Epps; Rep. Gotlieb--Under 21 Breath Test Only For Alcohol

Senator Epps moved for the adoption of the First Report of the First Conference Committee on SB00-087, printed in Senate Journal, April 4, pages 831-832. 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 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	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	Y		

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

HB 00-1249 by Rep. Paschall; Senator Andrews--Strengthen The Marriage Relationship

Senator Andrews moved for the adoption of the First Report of the First Conference Committee on HB00-1249, printed in Senate Journal, April 4, pages 832-833.

On a substitute motion, Senator Perlmutter moved that the Senate adhere to its position on HB00-1249.

Call of Senate.
Call Raised.

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

YES	16	NO	19	EXCUSED	0	ABSENT	0
Anderson	N	Evans	N	Musgrave	N	Tanner	Y
Andrews	N	Feeley	Y	Nichol	N	Tebedo	N
Arnold	N	Hernandez	Y	Owen	N	Teck	N
Blickensderfer	N	Hillman	N	Pascoe	Y	Thiebaut	Y
Chlouber	N	Lacy	N	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	N
Epps	N	Matsunaka	Y	Sullivan	N		

Senator Andrews renewed his motion for the adoption of the First Report of the First Conference Committee on HB00-1249.

On a substitute motion, Senator Feeley moved to reject the First Report of the First Conference Committee on HB00-1249, that the conference committee be dissolved, and that a new Conference Committee be appointed.

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

YES16		NO19		EXCUSED0		ABSENT0	
Anderson	N	Evans	N	Musgrave	N	Tanner	Y
Andrews	N	Feeley	Y	Nichol	N	Tebedo	N
Arnold	N	Hernandez	Y	Owen	N	Teck	N
Blickensderfer	N	Hillman	N	Pascoe	Y	Thiebaut	Y
Chlouber	N	Lacy	N	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	N
Epps	N	Matsunaka	Y	Sullivan	N		

Senator Andrews renewed his motion for the adoption of the First Report of the First Conference Committee on HB00-1249.

The motion was adopted by the following roll call vote:

YES19		NO16		EXCUSED0		ABSENT0	
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	N
Andrews	Y	Feeley	N	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	N	Wattenberg	N
Congrove	Y	Lamborn	Y	Phillips	N	Weddig	N
Dennis	Y	Linkhart	N	Reeves	N	Wham	N
Dyer	N	Martinez	N	Rupert	N	Mr. President	Y
Epps	Y	Matsunaka	N	Sullivan	Y		

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

YES19		NO16		EXCUSED0		ABSENT0	
Anderson	Y	Evans	Y	Musgrave	Y	Tanner	N
Andrews	Y	Feeley	N	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	N	Wattenberg	N
Congrove	Y	Lamborn	Y	Phillips	N	Weddig	N
Dennis	Y	Linkhart	N	Reeves	N	Wham	N
Dyer	N	Martinez	N	Rupert	N	Mr. President	Y
Epps	Y	Matsunaka	N	Sullivan	Y		

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

Co-sponsor added: Powers.

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, April 12, was laid over until Thursday, April 13, retaining its place on the calendar.

Senate in recess.

Senate reconvened.

SENATE SERVICES REPORT

Senate
Services

Correctly engrossed: SB 00-019, 044, 054, 076, 163, 180, 184, 211, 212.

Correctly revised: HB 00-1262, 1383.

Correctly engrossed: SB00-092, 121, 136, 181, 185.

COMMITTEE OF REFERENCE REPORTS

Trans- portation	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: <u>HB00-1426</u>
Trans- portation	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee on Appropriations: <u>HB00-1178</u>
Trans- portation	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee on Appropriations: <u>HB00-1393</u>
Trans- portation	After consideration on the merits, the committee recommends that the following be referred favorably to the Committee on Appropriations: <u>HB00-1323</u>
Trans- portation	After consideration on the merits, the committee recommends that <u>HB00-1042</u> 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 12 and 13 and substitute the following: "SECTION."; strike lines 18 through 22 and substitute the following: "SET OF PURPLE HEART SPECIAL LICENSE PLATES."

MESSAGE FROM THE REVISOR

April 12, 2000

We herewith transmit:

without comment, HB00-1463, and;
without comment, as amended, HB00-1100, 1169, 1183, 1227, 1305, 1327, 1337, 1350, 1355, 1389, 1395, and 1465.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR	00-020	by Senators Tanner and Rupert; also Representatives Clarke and Tate--Concerning honoring Carlotta Walls LaNier, and, in connection therewith, recognizing the achievements of the "Little Rock Nine". Laid over one day under Senate Rule 30(b), and placed on the calendar of Thursday, April 13.
SJR	00-021	by Senator Pascoe; also Representative Grossman--Concerning the recognition of top-ranked Denver high schools, and, in connection therewith, honoring George Washington High School and East High School for being recognized as two of the nation's top one hundred high schools. Laid over one day under Senate Rule 30(b), and placed on the calendar of Thursday, April 13.
SJR	00-022	by Senator Linkhart; also Representative McPherson--Concerning the importance of fathers in strengthening families and the need to promote public policy that supports two parents engaged in the lives of their children. Laid over one day under Senate Rule 30(b), and placed on the calendar of Thursday, April 13.

TRIBUTES--A POINT OF INTEREST

- Memorializing Margaret A. Bartolo by Senator Thiebaut
- Honoring Ross Pattershall by Senator Epps
- Honoring Jean Kaye by Senator Epps
- Honoring Jody Lehman by Senator Epps
- Honoring John Hrovat by Senator Hillman

On motion of Senator Blickensderfer, the Senate adjourned until 9:00 a.m., Thursday, April 13, 2000.

Approved:

Ray Powers
President of the Senate

Attest:

Patricia K. Dicks
Secretary of the Senate

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