

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

97<sup>th</sup> Legislative Day Monday, April 10, 2000

Call to Order By the President at 10:00 a.m.

Prayer By the chaplain, Reverend Glen Hamlyn, Rocky Mountain Cathedral, Denver.

Roll Call Present--Total, 28.  
Absent/Excused--Epps, Evans, Feeley, Lacy, Nichol, Tanner, Tebedo--Total, 7.  
Present later--Epps, Evans, Feeley, Lacy, Nichol, Tanner, Tebedo.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Chlouber, reading of the Journal of Friday, April 7<sup>th</sup> was dispensed with and the Journal stands approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Services To the governor for signature on Friday, April 7, 2000, at 4:00 pm:  
SB 00-012, 014, 021, 061, 068, 072, 088, 103, 141, 176, 189.

Correctly printed: SB00-220, 221.

Correctly enrolled: SB00-035, 144.

FIRST REPORT OF FIRST CONFERENCE COMMITTEE  
ON HB00-1258

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THIS REPORT ADOPTS THE  
REREVISED BILL  
\*\*\*\*\*

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

Your first conference committee appointed on HB00-1258, concerning the regulation of businesses that perform accounting services, and, in connection therewith, continuing the authority of the state board of accountancy, has met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill and that the rerevised bill be adopted without change.

Respectfully submitted,

|                                |                                   |
|--------------------------------|-----------------------------------|
| House Committee:               | Senate Committee:                 |
| (Signed)                       | (Signed)                          |
| Rep. William Kaufman, Chairman | Sen. Tom Blickensderfer, Chairman |
| Rep. Tambor Williams           | Sen. Ronald J. Teck               |
| Rep. Penfield Tate             | Sen. Terry L. Phillips            |

SIGNING OF BILLS

The President has signed: SB00-035, 144.

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:

SB 00-140 by Sen. Anderson; Rep. Lawrence--Youthful Offender System

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

| YES            | 34 | NO        | 0 | EXCUSED    | 0 | ABSENT        | 1 |
|----------------|----|-----------|---|------------|---|---------------|---|
| 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      | A | 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.

SB 00-158 by Sen. Wham; Rep. George--CO Veterans' Monument Trust Fund

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

| YES            | 34 | NO        | 0 | EXCUSED    | 0 | ABSENT        | 1 |
|----------------|----|-----------|---|------------|---|---------------|---|
| 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      | A | 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: Anderson, Andrews, Blickensderfer, Chlouber, Congrove, Dyer, Epps, Evans, Feeley, Hernandez, Hillman, Lamborn, Martinez, Musgrave, Owen, Pascoe, Phillips, Powers, Reeves, Rupert, Sullivan, Tebedo, Teck, Weddig.

SB 00-007 by Sen. Phillips; Rep. Young--Telecom & Technologies Council

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

| YES            | 32 | NO        | 2 | EXCUSED    | 0 | ABSENT        | 1 |
|----------------|----|-----------|---|------------|---|---------------|---|
| 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      | A | Perlmutter | Y | Wattenberg    | Y |
| Congrove       | N  | 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: Chlouber, Teck.

HB 00-1182 by Rep. Williams T.; Senator Nichol--Continue Regulating Collection Agencies

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

| YES            | 34 | NO        | 0 | EXCUSED    | 0 | ABSENT        | 1 |
|----------------|----|-----------|---|------------|---|---------------|---|
| 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      | A | 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: Tebedo, Weddig.

HB 00-1020 by Rep. Alexander; Senator Wham--Child Care Commission

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

| YES            | 23 | NO        | 11 | EXCUSED    | 0 | ABSENT        | 1 |
|----------------|----|-----------|----|------------|---|---------------|---|
| Anderson       | Y  | Evans     | Y  | Musgrave   | N | Tanner        | Y |
| Andrews        | N  | Feeley    | Y  | Nichol     | Y | Tebedo        | N |
| Arnold         | N  | Hernandez | Y  | Owen       | N | Teck          | Y |
| Blickensderfer | Y  | Hillman   | N  | Pascoe     | Y | Thiebaut      | Y |
| Chlouber       | N  | Lacy      | A  | Perlmutter | Y | Wattenberg    | Y |
| Congrove       | N  | Lamborn   | N  | Phillips   | Y | Weddig        | Y |
| Dennis         | Y  | Linkhart  | Y  | Reeves     | Y | Wham          | Y |
| Dyer           | Y  | Martinez  | Y  | Rupert     | Y | Mr. President | N |
| Epps           | N  | Matsunaka | Y  | Sullivan   | Y |               |   |

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

Co-sponsors added: Hernandez, Martinez, Reeves, Rupert, Tanner.

HB 00-1161 by Rep. McElhany; Sen. Tebedo--Veterans Service Officers

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

| YES            | 34 | NO        | 0 | EXCUSED    | 0 | ABSENT        | 1 |
|----------------|----|-----------|---|------------|---|---------------|---|
| 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      | A | 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: Congrove, Epps, Hernandez, Musgrave, Thiebaut.

HB 00-1025 by Rep. Clarke; Senator Linkhart--CO Children's Trust Fund

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

| YES            | 29 | NO        | 5 | EXCUSED    | 0 | ABSENT        | 1 |
|----------------|----|-----------|---|------------|---|---------------|---|
| Anderson       | Y  | Evans     | Y | Musgrave   | N | Tanner        | Y |
| Andrews        | N  | Feeley    | Y | Nichol     | Y | Tebedo        | Y |
| Arnold         | Y  | Hernandez | Y | Owen       | Y | Teck          | Y |
| Blickensderfer | Y  | Hillman   | N | Pascoe     | Y | Thiebaut      | Y |
| Chlouber       | Y  | Lacy      | A | Perlmutter | Y | Wattenberg    | Y |
| Congrove       | N  | Lamborn   | Y | Phillips   | Y | Weddig        | Y |
| Dennis         | Y  | Linkhart  | Y | Reeves     | Y | Wham          | Y |
| Dyer           | Y  | Martinez  | Y | Rupert     | Y | Mr. President | N |
| 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. (For further action, see page 898 where reconsideration was granted and HB00-1025 was passed on Third Reading.)

Co-sponsors added: Hernandez, Pascoe, Rupert.

SB 00-117 by Sen. Dennis; Rep. Mitchell--Dependent Tuition Assistance

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

| YES            | 33 | NO        | 1 | EXCUSED    | 0 | ABSENT        | 1 |
|----------------|----|-----------|---|------------|---|---------------|---|
| 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      | A | Perlmutter | Y | Wattenberg    | Y |
| Congrove       | Y  | Lamborn   | Y | Phillips   | Y | Weddig        | N |
| 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: Andrews, Arnold, Blickensderfer, Chlouber, Feeley, Hernandez, Musgrave, Nichol, Pascoe, Phillips, Thiebaut, Wattenberg.

RECONSIDERATION OF HB00-1025

HB 00-1025 by Rep. Clarke; Senator Linkhart--CO Children’s Trust Fund

Having voted on the prevailing side, Senator Lamborn moved for the reconsideration of HB00-1025.

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

THIRD READING OF BILL--FINAL PASSAGE

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

HB 00-1025 by Rep. Clarke; Senator Linkhart--CO Children’s Trust Fund

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

| YES            | 32 | NO        | 2 | EXCUSED    | 0 | ABSENT        | 1 |
|----------------|----|-----------|---|------------|---|---------------|---|
| 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   | N | Pascoe     | Y | Thiebaut      | Y |
| Chlouber       | Y  | Lacy      | A | 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 | N |
| Epps           | Y  | Matsunaka | Y | Sullivan   | Y |               |   |

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

THIRD READING OF BILLS--FINAL PASSAGE - CONTINUED

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

SB 00-192 by Sen. Lacy; Rep. Dean--Pretrial Serv Program Bonding & Reports

Laid over until later in the day.

HB 00-1224 by Rep. Taylor; Senator Lacy--Creation Of Colorado Tourism Office

Laid over until later in the day.

SB 00-147 by Sen. Hillman; Rep. T. Williams--Retention Of Attorneys By Gov Entities  
Laid over until later in the day.

Committee of the Whole On motion of Senator Musgrave, the Senate resolved itself into Committee of the Whole for consideration of General Orders and Senator Musgrave 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 00-133 by Sen. Arnold; Rep. Gotlieb--Safe Schools

Amendment No. 1, Education Committee Amendment  
(Printed in Senate Journal, February 15, pages 317-321.)

Amendment No. 2, Appropriations Committee Amendment  
(Printed in Senate Journal, March 27, pages 759-763.)

Amendment No. 3, by Senator Anderson

Amend the Education Committee amendment, as printed in Senate Journal, February 15, page 317, strike lines 19 through 72 and substitute the following:

"Amend printed bill, page 4, strike lines 2 through 16 and substitute the following:

"SECTION 1. Article 32 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**22-32-109.1. Board of education - specific powers and duties - safe schools.** (1) **Mission statement.** EACH SCHOOL DISTRICT BOARD OF EDUCATION SHALL ADOPT A MISSION STATEMENT FOR THE SCHOOL DISTRICT, WHICH STATEMENT SHALL INCLUDE MAKING SAFETY A PRIORITY IN EACH PUBLIC SCHOOL OF THE SCHOOL DISTRICT.

(2) **Safe school plan.** IN ORDER TO PROVIDE A LEARNING ENVIRONMENT THAT IS SAFE, CONDUCIVE TO THE LEARNING PROCESS, AND FREE FROM UNNECESSARY DISRUPTION, FOLLOWING CONSULTATION WITH THE SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE AND SCHOOL ADVISORY COUNCILS, PARENTS, TEACHERS, ADMINISTRATORS, STUDENTS, AND, WHERE APPROPRIATE, THE COMMUNITY AT LARGE, EACH SCHOOL DISTRICT BOARD OF EDUCATION SHALL ADOPT AND IMPLEMENT A SAFE SCHOOL PLAN, WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

(a) **Conduct and discipline code.** A CONCISELY WRITTEN CONDUCT AND DISCIPLINE CODE THAT SHALL BE ENFORCED UNIFORMLY, FAIRLY, AND CONSISTENTLY FOR ALL STUDENTS. COPIES OF THE CODE SHALL BE PROVIDED TO EACH STUDENT UPON ENROLLMENT AT THE ELEMENTARY, MIDDLE, AND HIGH SCHOOL LEVELS AND SHALL BE POSTED AT EACH PUBLIC SCHOOL IN THE SCHOOL DISTRICT. THE CODE SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO:

(I) GENERAL POLICIES ON STUDENT CONDUCT, SAFETY, AND WELFARE;

(II) GENERAL POLICIES AND PROCEDURES FOR DEALING WITH STUDENTS WHO CAUSE A DISRUPTION IN THE CLASSROOM, ON SCHOOL GROUNDS, IN SCHOOL VEHICLES, OR AT SCHOOL ACTIVITIES OR SANCTIONED EVENTS, INCLUDING A SPECIFIC POLICY ALLOWING A TEACHER TO REMOVE A DISRUPTIVE STUDENT FROM HIS OR HER CLASSROOM AND,

UPON THE THIRD SUCH REMOVAL FROM A TEACHER’S CLASS, TO REMOVE THE DISRUPTIVE STUDENT FROM SUCH TEACHER’S CLASS FOR THE REMAINDER OF THE TERM OF THE CLASS;

(III) PROVISIONS FOR THE EXPULSION OF STUDENTS WHO CAUSE A DISRUPTION IN THE CLASSROOM, ON SCHOOL GROUNDS, IN SCHOOL VEHICLES, OR AT SCHOOL ACTIVITIES OR SANCTIONED EVENTS FOR A THIRD TIME DURING A SINGLE SCHOOL YEAR OR CALENDAR YEAR;

(IV) POLICIES AND PROCEDURES FOR THE USE OF ACTS OF REASONABLE AND APPROPRIATE PHYSICAL INTERVENTION OR FORCE IN DEALING WITH DISRUPTIVE STUDENTS; EXCEPT THAT NO BOARD SHALL ADOPT A DISCIPLINE CODE THAT INCLUDES PROVISIONS THAT ARE IN CONFLICT WITH THE DEFINITION OF CHILD ABUSE IN SECTION 18-6-401 (1), C.R.S., AND SECTION 19-1-103 (1), C.R.S.;

(V) GENERAL POLICIES AND PROCEDURES FOR DETERMINING THE CIRCUMSTANCES UNDER AND THE MANNER IN WHICH DISCIPLINARY ACTIONS, INCLUDING SUSPENSION AND EXPULSION, SHALL BE IMPOSED IN ACCORDANCE WITH THE PROVISIONS OF SECTIONS 22-33-105 AND 22-33-106;

(VI) A SPECIFIC POLICY CONCERNING GANG-RELATED ACTIVITIES IN THE SCHOOL, ON SCHOOL GROUNDS, IN SCHOOL VEHICLES, OR AT SCHOOL ACTIVITIES OR SANCTIONED EVENTS;

(VII) WRITTEN PROHIBITION, CONSISTENT WITH SECTION 22-33-106, OF STUDENTS FROM BRINGING DANGEROUS WEAPONS, DRUGS, OR OTHER CONTROLLED SUBSTANCES TO SCHOOL, ON SCHOOL GROUNDS, IN SCHOOL VEHICLES, OR AT SCHOOL ACTIVITIES OR SANCTIONED EVENTS AND FROM USING DRUGS, OTHER CONTROLLED SUBSTANCES, OR TOBACCO PRODUCTS ON SCHOOL GROUNDS, IN SCHOOL VEHICLES, OR AT SCHOOL ACTIVITIES OR SANCTIONED EVENTS;

(VIII) A WRITTEN POLICY CONCERNING SEARCHES ON SCHOOL GROUNDS, INCLUDING STUDENT LOCKERS; AND

(IX) A DRESS CODE POLICY THAT DEFINES AND PROHIBITS STUDENTS FROM WEARING APPAREL THAT IS DEEMED DISRUPTIVE TO THE CLASSROOM ENVIRONMENT OR TO THE MAINTENANCE OF A SAFE AND ORDERLY SCHOOL. THE DRESS CODE POLICY MAY REQUIRE STUDENTS TO WEAR A SCHOOL UNIFORM OR MAY ESTABLISH MINIMUM STANDARDS OF DRESS.

(b) **Safe school reporting requirements.** A POLICY WHEREBY THE PRINCIPAL OF EACH PUBLIC SCHOOL IN A SCHOOL DISTRICT SHALL SUBMIT ANNUALLY, IN A MANNER AND BY A DATE SPECIFIED BY RULE OF THE STATE BOARD, A WRITTEN REPORT TO THE BOARD OF EDUCATION OF SUCH SCHOOL DISTRICT CONCERNING THE LEARNING ENVIRONMENT IN THE SCHOOL DURING THAT SCHOOL YEAR. THE BOARD OF EDUCATION OF THE SCHOOL DISTRICT ANNUALLY SHALL COMPILE THE REPORTS FROM EVERY SCHOOL IN THE DISTRICT AND SHALL SUBMIT THE COMPILED REPORT TO THE DEPARTMENT OF EDUCATION IN A FORMAT SPECIFIED BY RULE OF THE STATE BOARD. THE COMPILED REPORT SHALL BE MADE AVAILABLE TO THE PARENTS AND TO THE GENERAL PUBLIC. SUCH REPORT SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING SPECIFIC INFORMATION FOR THE PRECEDING SCHOOL YEAR:

(I) THE TOTAL ENROLLMENT FOR THE SCHOOL;

(II) THE AVERAGE DAILY ATTENDANCE RATE AT THE SCHOOL;

(III) DROPOUT RATES FOR GRADES SEVEN THROUGH TWELVE, IF SUCH GRADES ARE TAUGHT AT THE SCHOOL; AND

(IV) THE NUMBER OF CONDUCT AND DISCIPLINE CODE VIOLATIONS, INCLUDING BUT NOT LIMITED TO SPECIFIC INFORMATION ON THE NUMBER OF AND THE ACTION TAKEN WITH RESPECT TO EACH OF THE FOLLOWING TYPES OF VIOLATIONS:

(A) CARRYING, BRINGING, USING, OR POSSESSING A DANGEROUS WEAPON ON SCHOOL GROUNDS, IN SCHOOL VEHICLES, OR AT SCHOOL

ACTIVITIES OR SANCTIONED EVENTS WITHOUT THE AUTHORIZATION OF THE SCHOOL OR THE SCHOOL DISTRICT;

(B) USE OR POSSESSION OF ALCOHOL ON SCHOOL GROUNDS, IN SCHOOL VEHICLES, OR AT SCHOOL ACTIVITIES OR SANCTIONED EVENTS;

(C) USE, POSSESSION, OR SALE OF A DRUG OR CONTROLLED SUBSTANCE ON SCHOOL GROUNDS, IN SCHOOL VEHICLES, OR AT SCHOOL ACTIVITIES OR SANCTIONED EVENTS;

(D) USE OR POSSESSION OF TOBACCO PRODUCTS ON SCHOOL GROUNDS, IN SCHOOL VEHICLES, OR AT SCHOOL ACTIVITIES OR SANCTIONED EVENTS;

(E) BEING WILFULLY DISOBEDIENT OR OPENLY AND PERSISTENTLY DEFIANT AND INTERFERING WITH THE ORDERLY FLOW OF INFORMATION IN A CLASSROOM;

(F) COMMISSION OF AN ACT ON SCHOOL GROUNDS THAT, IF COMMITTED BY AN ADULT, WOULD BE CONSIDERED CRIMINAL ASSAULT, OTHER THAN THIRD DEGREE ASSAULT;

(G) BEHAVIOR ON OR OFF SCHOOL PROPERTY THAT IS DETRIMENTAL TO THE WELFARE OR SAFETY OF OTHER STUDENTS OR OF SCHOOL PERSONNEL, INCLUDING BEHAVIOR THAT CREATES A THREAT OF PHYSICAL HARM TO THE STUDENT OR TO OTHER STUDENTS;

(H) WILLFUL DESTRUCTION OR DEFACEMENT OF SCHOOL PROPERTY;

(I) REPEATED INTERFERENCE WITH THE SCHOOL'S ABILITY TO PROVIDE EDUCATIONAL OPPORTUNITIES TO OTHER STUDENTS;

(J) COMMISSION OF AN ACT ON SCHOOL GROUNDS THAT, IF COMMITTED BY AN ADULT, WOULD BE CONSIDERED ROBBERY; AND

(K) OTHER VIOLATIONS OF THE CODE OF CONDUCT AND DISCIPLINE.

(V) FOR PURPOSES OF SUBPARAGRAPH (IV) OF THIS PARAGRAPH (b), "ACTION TAKEN" MEANS THE SPECIFIC TYPE OF DISCIPLINE, INCLUDING BUT NOT LIMITED TO THE FOLLOWING CATEGORIES OF DISCIPLINE:

(A) IN-SCHOOL SUSPENSION;

(B) OUT-OF-SCHOOL SUSPENSION;

(C) CLASSROOM SUSPENSION;

(D) EXPULSION;

(E) REFERRAL TO A LAW ENFORCEMENT AGENCY; OR

(F) ANY OTHER FORM OF DISCIPLINE, WHICH SHALL BE SPECIFICALLY STATED.

(3) **Agreements with state agencies.** EACH BOARD OF EDUCATION SHALL COOPERATE AND, TO THE EXTENT POSSIBLE, DEVELOP WRITTEN AGREEMENTS WITH LAW ENFORCEMENT OFFICIALS, THE JUVENILE JUSTICE SYSTEM, AND SOCIAL SERVICES, AS ALLOWED UNDER STATE AND FEDERAL LAW, TO KEEP EACH SCHOOL ENVIRONMENT SAFE. EACH BOARD OF EDUCATION SHALL ADOPT A POLICY WHEREBY THE SCHOOL ADMINISTRATION SHALL REPORT TO THE DISTRICT ATTORNEY OR THE APPROPRIATE LOCAL LAW ENFORCEMENT AGENCY OR OFFICER INSTANCES OF ANY ALLEGED OFFENSE UNDER THE "COLORADO CRIMINAL CODE", TITLE 18, C.R.S., OCCURRING ON SCHOOL PROPERTY. THE DISTRICT ATTORNEY OR THE APPROPRIATE LOCAL LAW ENFORCEMENT AGENCY OR OFFICER, UPON RECEIVING SUCH REPORT, SHALL INVESTIGATE THE INCIDENT TO DETERMINE THE APPROPRIATENESS OF FILING CRIMINAL CHARGES OR INITIATING DELINQUENCY PROCEEDINGS.

(4) **Crisis management policy.** EACH BOARD OF EDUCATION

SHALL ESTABLISH A CRISIS MANAGEMENT POLICY THAT, AT A MINIMUM, SETS FORTH WRITTEN PROCEDURES FOR TAKING ACTION AND COMMUNICATING WITH LOCAL LAW ENFORCEMENT AGENCIES, COMMUNITY EMERGENCY SERVICES, PARENTS, STUDENTS, AND THE MEDIA IN THE EVENT OF A CRISIS. EACH POLICY SHALL PROVIDE FOR SCHOOL DISTRICT EMPLOYEE CRISIS MANAGEMENT TRAINING.

(5) **Safety site standards and assessments.** EACH BOARD OF EDUCATION SHALL ESTABLISH MINIMUM SAFETY SITE STANDARDS FOR SCHOOLS AND SHALL CONDUCT ANNUAL SITE SAFETY ASSESSMENTS TO ASSURE COMPLIANCE WITH MINIMUM STANDARDS AND TO MAKE RECOMMENDATIONS FOR IMPROVEMENT.

(6) **Sharing information.** NOTWITHSTANDING ANY PROVISION TO THE CONTRARY IN TITLE 24, C.R.S., EACH BOARD OF EDUCATION SHALL ESTABLISH POLICIES CONSISTENT WITH SECTION 24-72-204 (3), C.R.S., AND WITH APPLICABLE PROVISIONS OF THE FEDERAL "FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974" (FERPA), 20 U.S.C. SEC. 1232g, AND ALL FEDERAL REGULATIONS AND APPLICABLE GUIDELINES ADOPTED THERETO, TO SHARE AND RELEASE INFORMATION DIRECTLY RELATED TO A STUDENT AND MAINTAINED BY A PUBLIC SCHOOL OR BY A PERSON ACTING FOR THE PUBLIC SCHOOL IN THE INTEREST OF MAKING SCHOOLS SAFER.

(7) **Open school policy.** EACH BOARD OF EDUCATION SHALL ADOPT AN OPEN SCHOOL POLICY TO ALLOW PARENTS AND MEMBERS OF THE SCHOOL DISTRICT BOARD OF EDUCATION REASONABLE ACCESS TO OBSERVE CLASSES, ACTIVITIES, AND FUNCTIONS AT A PUBLIC SCHOOL UPON REASONABLE NOTICE TO THE SCHOOL ADMINISTRATOR'S OFFICE.

(8) **Employee screenings.** EACH BOARD OF EDUCATION SHALL ADOPT A POLICY OF MAKING INQUIRIES UPON GOOD CAUSE TO THE DEPARTMENT OF EDUCATION FOR THE PURPOSES OF SCREENING LICENSED EMPLOYEES AND NONLICENSED EMPLOYEES HIRED ON OR AFTER JANUARY 1, 1991. LICENSED EMPLOYEES EMPLOYED BY SCHOOL DISTRICTS ON OR AFTER JANUARY 1, 1991, SHALL BE SCREENED UPON GOOD CAUSE TO CHECK FOR ANY NEW INSTANCES OF CRIMINAL ACTIVITY LISTED IN SECTION 22-32-109.9 (1) (a). NONLICENSED EMPLOYEES EMPLOYED BY A SCHOOL DISTRICT ON OR AFTER JANUARY 1, 1991, SHALL BE SCREENED UPON GOOD CAUSE TO CHECK FOR ANY NEW INSTANCES OF CRIMINAL ACTIVITY LISTED IN SECTION 22-32-109.8 (2) (a).

(9) **Immunity.** (a) A SCHOOL DISTRICT BOARD OF EDUCATION OR ANY PERSON ACTING IN GOOD FAITH IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (2) OF THIS SECTION IN CARRYING OUT THE POWERS OR DUTIES AUTHORIZED BY SAID SUBSECTION SHALL BE IMMUNE FROM CIVIL OR CRIMINAL LIABILITY FOR SUCH ACTIONS; EXCEPT THAT A PERSON ACTING WILLFULLY OR WANTONLY IN VIOLATION OF SAID SUBSECTION SHALL NOT BE IMMUNE FROM LIABILITY PURSUANT TO SAID SUBSECTION.

(b) THE COURT SHALL DISMISS ANY CIVIL ACTION RESULTING FROM ACTIONS TAKEN BY A TEACHER OR ANY OTHER PERSON PURSUANT TO THE CONDUCT AND DISCIPLINE CODE ADOPTED BY THE BOARD OF EDUCATION PURSUANT TO PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION UPON A FINDING BY THE COURT THAT THE PERSON ACTED IN GOOD FAITH AND IN COMPLIANCE WITH SUCH CONDUCT AND DISCIPLINE CODE AND WAS THEREFORE IMMUNE FROM CIVIL LIABILITY PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (9). THE COURT SHALL AWARD COURT COSTS AND REASONABLE ATTORNEY FEES TO THE PREVAILING PARTY IN SUCH A CIVIL ACTION.

(c) IF A CRIMINAL ACTION IS BROUGHT AGAINST A TEACHER OR ANY OTHER PERSON FOR ACTIONS TAKEN PURSUANT TO THE CONDUCT AND DISCIPLINE CODE ADOPTED BY THE BOARD OF EDUCATION PURSUANT TO PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION, IT SHALL BE AN AFFIRMATIVE DEFENSE IN SUCH CRIMINAL ACTION THAT THE TEACHER OR SUCH OTHER PERSON WAS ACTING IN GOOD FAITH AND IN COMPLIANCE WITH THE CONDUCT AND DISCIPLINE CODE AND WAS NOT ACTING IN A WILLFUL OR WANTON MANNER IN VIOLATION OF THE CONDUCT AND DISCIPLINE CODE.



(d) AN ACT OF A TEACHER OR ANY OTHER PERSON SHALL NOT BE CONSIDERED CHILD ABUSE PURSUANT TO SECTIONS 18-6-401 (1) AND 19-3-303 (1), C.R.S., IF:

(I) THE ACT WAS PERFORMED IN GOOD FAITH AND IN COMPLIANCE WITH THE DISCIPLINE CODE ADOPTED BY THE BOARD OF EDUCATION PURSUANT TO PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION; OR

(II) THE ACT WAS AN APPROPRIATE EXPRESSION OF AFFECTION OR EMOTIONAL SUPPORT.

(e) A TEACHER OR ANY OTHER PERSON WHO ACTS IN GOOD FAITH AND IN COMPLIANCE WITH THE DISCIPLINE CODE ADOPTED BY THE BOARD OF EDUCATION PURSUANT TO PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION SHALL NOT HAVE HIS OR HER CONTRACT NONRENEWED OR BE SUBJECT TO ANY DISCIPLINARY PROCEEDINGS, INCLUDING DISMISSAL, AS A RESULT OF SUCH LAWFUL ACTIONS, NOR SHALL THE ACTIONS OF THE TEACHER OR OTHER PERSON BE REFLECTED IN ANY WRITTEN EVALUATION OR OTHER PERSONNEL RECORD CONCERNING SUCH TEACHER OR OTHER PERSON.

(10) **Compliance with safe school reporting requirements.**  
(a) IF, AFTER A REASONABLE PERIOD OF TIME HAS PASSED, AS DETERMINED BY THE STATE BOARD, THE DEPARTMENT OF EDUCATION DETERMINES THAT THERE HAS BEEN A FAILURE BY A SCHOOL PRINCIPAL OR A SCHOOL DISTRICT TO COMPLY FULLY AND ACCURATELY WITH THE REQUIREMENTS OF PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION, THE DEPARTMENT OF EDUCATION SHALL REMOVE THE ACCREDITATION OF THE SCHOOL DISTRICT PURSUANT TO THE PROVISIONS OF ARTICLE 11 OF THIS TITLE.

(b) IF THE STATE BOARD DETERMINES THAT A SCHOOL DISTRICT OR ONE OR MORE OF THE PUBLIC SCHOOLS IN A SCHOOL DISTRICT IS IN WILLFUL NONCOMPLIANCE WITH THE PROVISIONS OF PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION, THE STATE'S SHARE OF THE SCHOOL DISTRICT'S TOTAL PROGRAM, AS DETERMINED PURSUANT TO ARTICLE 54 OF THIS TITLE, MAY BE SUBJECT TO FORFEITURE UNTIL THE SCHOOL DISTRICT AND EACH SCHOOL IN THE DISTRICT ATTAINS COMPLIANCE WITH THE PROVISIONS OF PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION.

**SECTION 2.** 22-32-109, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**22-32-109. Board of education - specific duties.** (1) In addition to any other duty required to be performed by law, each board of education shall have and perform the following specific duties:

(cc) TO ADOPT A DRESS CODE POLICY FOR TEACHERS AND OTHER SCHOOL EMPLOYEES.

**SECTION 3. Repeal.** 22-32-109 (1) (w) and (1) (x), Colorado Revised Statutes, are repealed.

**SECTION 4. Repeal.** 22-32-110 (2), (3), (3.5), and (4), Colorado Revised Statutes, are repealed."

Strike pages 5 through 20.

Page 21, strike lines 1 through 21.

Renumber succeeding sections accordingly."

Strike page 318 of the Senate Journal, February 15.

Page 319 of the Senate Journal, February 15, strike lines 1 though 29.

Amendment No. 4, by Senator Arnold

Amend the Appropriations Committee amendment, as printed in Senate Journal, March 27, page 759, line 57, after "**students.**", insert "(1)".

Page 760, after line 1, insert the following:

"(2) EACH SCHOOL DISTRICT MAY PROVIDE EDUCATIONAL SERVICES TO STUDENTS WHO ARE IDENTIFIED AS AT RISK OF SUSPENSION OR EXPULSION FROM SCHOOL. ANY SCHOOL DISTRICT THAT PROVIDES EDUCATIONAL SERVICES TO STUDENTS WHO ARE AT RISK OF SUSPENSION OR EXPULSION MAY APPLY FOR MONEYS THROUGH THE EXPELLED AND AT RISK STUDENT SERVICES GRANT PROGRAM ESTABLISHED IN SECTION 22-33-205 TO ASSIST IN PROVIDING SUCH EDUCATIONAL SERVICES.";

line 19, after "IN", insert "A NONPUBLIC, NONPAROCHIAL SCHOOL OR IN";

line 42, after "SCHOOLS," ,insert "NONPUBLIC, NONPAROCHIALSCHOOLS,";

line 69, strike "~~pursuant to this subsection (2)~~ OR TO AT-RISK" and substitute "pursuant to this subsection (2)";

line 70, strike "STUDENTS AS IDENTIFIED PURSUANT TO SECTION 22-33-202".

Page 761, line 65, after "**expelled**", insert "**and at risk**";

line 67, after "expelled", insert "AND AT RISK".

Page 762, line 42, strike "~~expelled~~" and substitute "expelled OR AT RISK" and, after "students", insert "PURSUANT TO THE PROVISIONS OF THIS PART 2";

line 48, strike "~~expelled~~" and substitute "expelled OR AT RISK" and, strike "IDENTIFIED PURSUANT TO";

line 49, strike "SECTION 22-33-202";

line 51, strike "section 22-33-203 (2)" and substitute "~~section 22-33-203~~ (2) THE PROVISIONS OF THIS PART 2".

Amendment No. 5, by Senator Evans

Amend the Anderson floor amendment, as printed in Senate Journal, April 10, page 900, line 3, strike "CLASS;" and substitute the following:

"CLASS. THE GENERAL POLICIES AND PROCEDURES SHALL INCLUDE A DUE PROCESS PROCEDURE, WHICH AT A MINIMUM SHALL REQUIRE THAT, AS SOON AS POSSIBLE AFTER A REMOVAL, THE TEACHER SHALL CONTACT THE PARENT OR LEGAL GUARDIAN OF THE STUDENT TO REQUEST HIS OR HER ATTENDANCE AT A STUDENT-TEACHER CONFERENCE REGARDING THE REMOVAL."

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

The following bills on the General Orders calendar of Monday, April 10, were laid over until Tuesday, April 11, retaining their place on the calendar:

SB00-049, SCR00-005, SB00-209, SCR00-006, SB00-208, HB00-1070, HB00-1368, SB00-175, HB00-1173, SB00-177, SB00-137, SB00-146, SB00-174, SB000-42, SB00-184, SB00-054, SB00-194, HB00-1262, SB00-044, SB00-062, SB00-076.

**AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE**

SB 00-133 by Sen. Arnold; Rep. Gotlieb--Safe Schools

Senator Perlmutter moved to amend the Report of the Committee of the Whole to show that the following Perlmutter/Feeley floor amendment to SB00-133, as amended, did pass:

Amend printed bill, page 59, before line 8, insert the following:

"SECTION 25. 18-12-105.5 (1) and (3), Colorado Revised Statutes, are amended to read:

**18-12-105.5. Unlawfully carrying a weapon - unlawful possession of weapons - school, college, or university grounds.** (1) A person commits a class 2 misdemeanor if such person knowingly and unlawfully and without legal authority carries, brings, or has in such person's possession a deadly weapon as defined in section 18-1-901 (3) (e) in or on the real estate and all improvements erected thereon of any public or private elementary, middle, junior high, or high school or any public or private college, university, or seminary, except for the purpose of presenting an authorized public demonstration or exhibition pursuant to instruction in conjunction with an organized school or class, for the purpose of carrying out the necessary duties and functions of an employee of an educational institution which require the use of a deadly weapon, A PEACE OFFICER AS DEFINED IN SECTION 18-1-901 (3) (I), or for the purpose of participation in an authorized extracurricular activity or on an athletic team.

- (3) ~~It shall not be an offense under this section if:~~
- (a) ~~The weapon is unloaded and remains inside a motor vehicle while upon the real estate of any public or private college, university, or seminary; or~~
- (b) ~~The person is in that person's own dwelling or place of business or on property owned or under that persons's control at the time of the act of carrying; or~~
- (c) ~~The person is in a private automobile or other private means of conveyance and is carrying a weapon for lawful protection of that person's or another's person or property while traveling; or~~
- (d) ~~The person, prior to the time of carrying a concealed weapon, has been issued a written permit pursuant to section 18-12-105.1 to carry the weapon by the chief of police of a city or city and county or the sheriff of a county; or~~
- (e) ~~The person is a peace officer, level I or level Ia, as defined in section 18-1-901 (3) (I) (I) or (3) (I) (II); or~~
- (f) ~~The person is a peace officer, level II, as defined in section 18-1-901 (3) (I) (III), while on duty; or~~
- (g) ~~The person is a peace officer, level IIIa, as defined in section 18-1-901 (3) (I) (IV.5), while on duty and under supervision; or~~
- (h) ~~The person has possession of the weapon for use in an educational program approved by a school which program includes, but shall not be limited to, any course designed for the repair or maintenance of weapons."~~

Renumber succeeding sections accordingly.

Call of Senate.  
Call Raised.

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

| YES            | 15 | NO        | 20 | 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    | N |
| 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  | Sullivant  | N |               |   |

SB     00-133 by Sen. Arnold; Rep. Gotlieb--Safe Schools

Senator Rupert moved to amend the Report of the Committee of the Whole to show that the following Rupert floor amendment made to SB00-133, as amended, did pass:

Amend the Anderson floor amendment, as printed in Senate Journal, April 10, page 899, line 48, strike "AND" and substitute "PROMOTES CITIZENSHIP, CIVILITY, COMPASSION, COURTESY, DIGNITY, PERSONAL RESPONSIBILITY, RESPECT FOR OTHERS, AND SELF-RESPECT, AND IS".

Page 3, line 7, strike "AND";  
 line 13, strike "DRESS." and substitute "DRESS; AND";  
 after line 13, insert the following:

"(X) A WRITTEN POLICY THAT DISCOURAGES BULLYING, ACTS OF VIOLENCE, AND NAME CALLING. SUCH POLICY SHALL BE DESIGNED TO FOSTER RESPECT AMONG ALL STUDENTS, FACULTY, AND STAFF REGARDLESS OF, BUT NOT LIMITED TO, DIFFERENCES IN DISABILITY, RACE, CREED, COLOR, GENDER, GENDER IDENTITY, SEXUAL ORIENTATION, NATIONAL ORIGIN, RELIGION, ANCESTRY, PHYSICAL APPEARANCE, OR NEED FOR SPECIAL EDUCATION SERVICES."

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     | Y | 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    | N |
| 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 |               |   |

SB     00-133 by Sen. Arnold; Rep. Gotlieb--Safe Schools

Senator Rupert moved to amend the Report of the Committee of the Whole to show that the following Rupert floor amendment made to SB00-133, as amended, did pass:

Amend the Anderson floor amendment, as printed in Senate Journal, April 10, page 900, line 15, strike "C.R.S.;" and substitute "C.R.S., AND EXCEPT THAT NO BOARD SHALL ADOPT A POLICY THAT PERMITS THE USE OF CORPORAL PUNISHMENT;".

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

| YES            | 15 | NO        | 20 | EXCUSED    | 0 | ABSENT        | 0 |
|----------------|----|-----------|----|------------|---|---------------|---|
| Anderson       | N  | Evans     | N  | Musgrave   | N | Tanner        | Y |
| Andrews        | N  | Feeley    | Y  | Nichol     | Y | Tebedo        | N |
| Arnold         | N  | Hernandez | Y  | Owen       | N | Teck          | N |
| Blickensderfer | N  | Hillman   | N  | Pascoe     | Y | Thiebaut      | Y |
| Chlouber       | N  | Lacy      | N  | Perlmutter | Y | Wattenberg    | N |
| Congrove       | N  | Lamborn   | N  | Phillips   | Y | Weddig        | Y |
| Dennis         | N  | Linkhart  | Y  | Reeves     | Y | Wham          | N |
| Dyer           | Y  | Martinez  | Y  | Rupert     | Y | Mr. President | N |
| Epps           | N  | Matsunaka | Y  | Sullivan   | N |               |   |

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Musgrave, 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:

SB00-133, as amended, declared passed on Second Reading.  
 SB00-049, SCR00-005, SB00-209, SCR00-006, SB00-208, HB00-1070, HB00-1368, SB00-175, HB00-1173, SB00-177, SB00-137, SB00-146, SB00-174, SB000-42, SB00-184, SB00-054, SB00-194, HB00-1262, SB00-044, SB00-062, SB00-076 laid over until Tuesday, April 11, retaining their place on the calendar.

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:

SB 00-192 by Sen. Lacy; Rep. Dean--Pretrial Serv Program Bonding & Reports

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

| YES            | 28 | NO        | 7 | EXCUSED    | 0 | ABSENT        | 0 |
|----------------|----|-----------|---|------------|---|---------------|---|
| Anderson       | Y  | Evans     | Y | Musgrave   | Y | Tanner        | Y |
| Andrews        | Y  | Feeley    | Y | Nichol     | N | Tebedo        | Y |
| Arnold         | Y  | Hernandez | N | 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   | N | Weddig        | Y |
| Dennis         | Y  | Linkhart  | Y | Reeves     | N | Wham          | N |
| Dyer           | Y  | Martinez  | Y | Rupert     | N | Mr. President | Y |
| Epps           | Y  | Matsunaka | Y | Sullivant  | Y |               |   |

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

HB 00-1224 by Rep. Taylor; Senator Lacy--Creation Of Colorado Tourism Office

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

| YES            | 26 | NO        | 9 | EXCUSED    | 0 | ABSENT        | 0 |
|----------------|----|-----------|---|------------|---|---------------|---|
| Anderson       | Y  | Evans     | Y | Musgrave   | N | Tanner        | Y |
| Andrews        | N  | Feeley    | Y | Nichol     | N | Tebedo        | Y |
| Arnold         | Y  | Hernandez | Y | Owen       | Y | Teck          | Y |
| Blickensderfer | N  | Hillman   | Y | Pascoe     | Y | Thiebaut      | N |
| Chlouber       | Y  | Lacy      | Y | Perlmutter | Y | Wattenberg    | Y |
| Congrove       | N  | Lamborn   | N | Phillips   | Y | Weddig        | N |
| Dennis         | Y  | Linkhart  | Y | Reeves     | Y | Wham          | Y |
| Dyer           | Y  | Martinez  | Y | Rupert     | Y | Mr. President | Y |
| Epps           | N  | Matsunaka | Y | Sullivant  | Y |               |   |

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

Co-sponsors added: Dyer, Feeley, Hernandez, Teck.

SB 00-147 by Sen. Hillman; Rep. T. Williams--Retention Of Attorneys By Gov Entities

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

Third Reading Amendment No. 1, by Senator Hillman

Amend engrossed bill, page 4, line 15, strike "ENTITY" and substitute "ATTORNEY".

Page 7, line 24, strike "LEGISLATURE," and substitute "GOVERNINGBOARD OF THE LOCAL GOVERNMENTAL ENTITY,".

Page 8, line 23, strike "ENTITY" and substitute "ATTORNEY".

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

Call of Senate.  
Call Raised.

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

| YES            | 19 | NO        | 16 | EXCUSED    | 0 | ABSENT        | 0 |
|----------------|----|-----------|----|------------|---|---------------|---|
| Anderson       | Y  | Evans     | Y  | Musgrave   | Y | Tanner        | N |
| Andrews        | Y  | Feeley    | N  | Nichol     | N | 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           | Y  | Martinez  | N  | Rupert     | N | Mr. President | Y |
| Epps           | Y  | Matsunaka | N  | Sullivant  | Y |               |   |

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

Co-sponsors added: Congrove, Tebedo.

IMMEDIATE RECONSIDERATION OF SB00-147

SB 00-147 by Sen. Hillman; Rep. T. Williams--Retention Of Attorneys By Gov Entities

Having voted on the prevailing side, Senator Hillman moved for immediate reconsideration of SB00-147.

Reconsideration was denied 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     | Y | 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           | N  | Martinez  | Y  | Rupert     | Y | Mr. President | N |
| Epps           | N  | Matsunaka | Y  | Sullivant  | N |               |   |

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB 00-1186 by Rep. George; Senator Anderson--Motor Vehicle Dealers

Senator Anderson moved that the Senate Conferees on the First Conference Committee on HB00-1186 be given the powers to go beyond the scope of the differences between the two Houses.

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

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 Monday, April 10, was laid over until Tuesday, April 11, retaining its place on the calendar.

Senate in recess.

Senate reconvened.

SENATE SERVICES REPORT

Senate Services To the governor for signature on Monday, April 10, 2000, at 2:45 p.m.: SB 00-035, 144.

Correctly engrossed: SB00-133.

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the committee recommends that SB00-084 be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 4, after line 13, insert the following:

**"SECTION 5. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the lottery fund, created in section 24-35-210, Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2000, the sum of four hundred thousand dollars (\$400,000), or so much thereof as may be necessary, for the implementation of this act. In accordance with the provisions of section 24-77-102 (3), Colorado Revised Statutes, these moneys shall be designated as cash funds exempt."

Renumber succeeding sections accordingly.

Page 1, line 101, strike "GAMES." and substitute "GAMES, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

Appropriations

After consideration on the merits, the committee recommends that SB00-211 be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 5, after line 23, insert the following:

**"SECTION 2. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act."

Renumber succeeding section accordingly.

Appropriations

After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: SB00-115

Appropriations

After consideration on the merits, the committee recommends that SB00-122 be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:

Amend the State, Veterans, and Military Affairs Committee amendment, as printed in Senate Journal, February 17, page 343, strike lines 9 through 42 and substitute the following:

**"SECTION 1.** 12-47.1-1601 (3) and (4) (b) (II), Colorado Revised Statutes, are amended to read:

**12-47.1-1601. Local government limited gaming impact fund - repeal.** (3) (a) (I) COMMENCING WITH THE FISCAL YEAR ENDING JUNE 30, 2000, except as otherwise provided in this subsection (3), in no event shall less than an aggregate total of ~~eleven~~ TWENTY-ONE percent of the fifty percent share of the limited gaming fund to be transferred to the general fund pursuant to section 9 (5) (b) (II) of article XVIII of the state constitution be transferred annually to the fund. ~~Commencing July 1, 2002, in no event shall less than an aggregate total of thirteen percent of the fifty percent share of the limited gaming fund to be transferred annually to the general fund pursuant to section 9 (5) (b) (II) of article XVIII of the state constitution be transferred to the fund.~~ The local government limited gaming impact advisory committee shall request that the commission and the general assembly approve funding for all documented gaming impacts upon local governments eligible for funding pursuant to subsection (4) of this section from the general fund share of gaming revenues if the committee determines that the documented

gaming impacts upon eligible local governments exceed:

~~(a)~~ (A) The amount of state gaming funds provided by the state constitution to affected counties;

~~(b)~~ (B) The amount of locally derived revenues from gaming; and

~~(c)~~ (C) The amount of revenue distributed pursuant to this section.

(II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JULY 1, 2002.

(b) (I) COMMENCING JULY 1, 2002, EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION (3), IN NO EVENT SHALL LESS THAN AN AGGREGATE TOTAL OF TWENTY-THREE PERCENT OF THE FIFTY PERCENT SHARE OF THE LIMITED GAMING FUND TO BE TRANSFERRED ANNUALLY TO THE GENERAL FUND PURSUANT TO SECTION 9 (5) (B) (II) OF ARTICLE XVIII OF THE STATE CONSTITUTION BE TRANSFERRED TO THE FUND. THE LOCAL GOVERNMENT LIMITED GAMING IMPACT ADVISORY COMMITTEE SHALL REQUEST THAT THE COMMISSION AND THE GENERAL ASSEMBLY APPROVE FUNDING FOR ALL DOCUMENTED GAMING IMPACTS UPON LOCAL GOVERNMENTS ELIGIBLE FOR FUNDING PURSUANT TO SUBSECTION (4) OF THIS SECTION FROM THE GENERAL FUND SHARE OF GAMING REVENUES IF THE COMMITTEE DETERMINES THAT THE DOCUMENTED GAMING IMPACTS UPON ELIGIBLE LOCAL GOVERNMENTS EXCEED:

(A) THE AMOUNT OF STATE GAMING FUNDS PROVIDED BY THE STATE CONSTITUTION TO AFFECTED COUNTIES;

(B) THE AMOUNT OF LOCALLY DERIVED REVENUES FROM GAMING; AND

(C) THE AMOUNT OF REVENUE DISTRIBUTED PURSUANT TO THIS SECTION.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2004.

(c) COMMENCING JULY 1, 2004, EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION (3), IN NO EVENT SHALL LESS THAN AN AGGREGATE TOTAL OF THIRTEEN PERCENT OF THE FIFTY PERCENT SHARE OF THE LIMITED GAMING FUND TO BE TRANSFERRED ANNUALLY TO THE GENERAL FUND PURSUANT TO SECTION 9 (5) (B) (II) OF ARTICLE XVIII OF THE STATE CONSTITUTION BE TRANSFERRED TO THE FUND. THE LOCAL GOVERNMENT LIMITED GAMING IMPACT ADVISORY COMMITTEE SHALL REQUEST THAT THE COMMISSION AND THE GENERAL ASSEMBLY APPROVE FUNDING FOR ALL DOCUMENTED GAMING IMPACTS UPON LOCAL GOVERNMENTS ELIGIBLE FOR FUNDING PURSUANT TO SUBSECTION (4) OF THIS SECTION FROM THE GENERAL FUND SHARE OF GAMING REVENUES IF THE COMMITTEE DETERMINES THAT THE DOCUMENTED GAMING IMPACTS UPON ELIGIBLE LOCAL GOVERNMENTS EXCEED:

(I) THE AMOUNT OF STATE GAMING FUNDS PROVIDED BY THE STATE CONSTITUTION TO AFFECTED COUNTIES;

(II) THE AMOUNT OF LOCALLY DERIVED REVENUES FROM GAMING; AND

(III) THE AMOUNT OF REVENUE DISTRIBUTED PURSUANT TO THIS SECTION."

strike lines 51 through 63 and substitute the following:

"SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of the local government limited gaming impact fund, to the department of revenue, limited gaming division, the sum of three million nine hundred eighty-five thousand four hundred fifty-four dollars (\$3,985,454), or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of local affairs, community development, division of local government, field services, the sum of three million nine hundred eighty-five thousand four hundred fifty-four dollars (\$3,985,454)



and 0.2 FTE, or so much thereof as may be necessary, for the implementation of this act. Such amount shall be cash funds exempt transferred from the department of revenue out of the appropriation made in subsection (1) of this section. Of this amount seven thousand five hundred fifty-eight dollars (\$7,558) shall be used for administrative purposes."

Renumber succeeding sections accordingly.

Page 343, after line 70, insert the following:

"Page 1, line 103, strike "MUNICIPALITIES." and substitute "MUNICIPALITIES, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

Appropriations After consideration on the merits, the committee recommends that the following be referred favorably to the Committee of the Whole: SB00-173

Appropriations After consideration on the merits, the committee recommends that SB00-092 be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:

Amend the committee amendment, as printed in the Senate Journal, February 10, page 258, line 58, after "19," insert "strike "FIFTY" and substitute "ONE HUNDRED" and";

strike lines 64 through 67 and substitute the following:

"Page 4, strike lines 1 through 3 and substitute the following:

~~"(2) The remaining eighty percent of such fees shall be credited to the general fund.".~~

Appropriations After consideration on the merits, the committee recommends that SB00-128 be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 10, after line 7, insert the following:

**"SECTION 5. No Appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act."

Renumber succeeding section accordingly.

Appropriations After consideration on the merits, the committee recommends that SB00-019 be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 12, strike lines 8 through 15.

Renumber succeeding sections accordingly.

Page 1, line 101, strike "SERVICES, AND MAKING AN" and substitute "SERVICES.";

strike line 102

Appropriations After consideration on the merits, the committee recommends that SB00-180 be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 14, line 14, strike "OR THE FEDERAL BUREAU OF INVESTIGATION".

Page 39, after line 7, insert the following:

**"SECTION 25. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of the moneys in the emergency medical services account in the highway users tax fund created in section 25-3.5-603, Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, division of emergency medical services and prevention, for the fiscal year beginning July 1, 2000, the sum of fifteen thousand dollars (\$15,000), or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding sections accordingly.

Page 1, line 101, strike "SERVICES." and substitute "SERVICES, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

Appropriations

After consideration on the merits, the committee recommends that SB00-181 be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 5, line 24, strike "SENATE BILL 00-\_\_\_\_," and substitute "SENATE BILL 00-181,".

Page 8, line 5, strike "SENATE BILL 00-\_\_\_\_," and substitute "SENATE BILL 00-181,".

Page 9, after line 13, insert the following:

**"SECTION 5. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the school construction and renovation fund created in section 22-43.7-103, Colorado Revised States, not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2000, the sum of one hundred forty-nine thousand six hundred forty-six dollars (\$149,646) and 2.0 FTE, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 102, strike "PROJECTS." and substitute "PROJECTS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

Appropriations

After consideration on the merits, the committee recommends that SB00-121 be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:

Amend the Judiciary Committee Report, as printed in Senate Journal, February 10, page 257, strike lines 46 through 53 and substitute the following:

"Page 3, after line 4, insert the following:

"(b) EVERY CONVICTED OFFENDER WHO, AS OF JULY 1, 2000, IS IN A COUNTY JAIL OR A COMMUNITY CORRECTIONS FACILITY PURSUANT TO ARTICLE 27 OF TITLE 17, C.R.S., FOR AN OFFENSE DESCRIBED IN SUBSECTION (1) OF THIS SECTION SHALL SUBMIT TO AND PAY FOR A CHEMICAL TESTING OF THE OFFENDER'S BLOOD TO DETERMINE THE GENETIC MARKERS THEREOF."

Reletter succeeding paragraphs accordingly.

line 14, strike "PARAGRAPH (a)" and substitute "PARAGRAPHS (a) AND (b)";

line 16, strike "(b)" and substitute "(c)";

line 17, strike "(c)" and substitute "(d)";

line 20, after "CORRECTIONS," insert "A SHERIFF,";

line 21, strike "SECTION." and substitute "SECTION USING MEDICALLY RECOGNIZED PROCEDURES.".

Page 5, after line 22, insert the following:

**"SECTION 6. Appropriation - adjustment in 2000 long bill.**  
(1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, for the fiscal year beginning July 1, 2000, the sum of four hundred twenty-nine thousand eight hundred thirty-four dollars (\$429,834) and 2.5 FTE, or so much thereof as may be necessary, for the implementation of this act. Of such sum, forty-six thousand nine hundred eighty-one dollars (\$46,981) and 1.0 FTE, or so much thereof as may be necessary, is appropriated to the Department of Corrections; three hundred sixty-four thousand seven hundred thirty-six dollars (\$364,736) and 1.5 FTE, or so much thereof as may be necessary, is appropriated to the Department of Public Safety, for allocation to the Colorado bureau of investigation; and eighteen thousand one hundred seventeen dollars (\$18,117), or so much thereof as may be necessary, is appropriated to the Judicial Department.

(2) For the implementation of this act, appropriations made in the annual general appropriations act for the fiscal year beginning July 1, 2000, shall be adjusted as follows:

(a) The general fund appropriation to the capital construction fund outlined in section 3 (1) (f) is reduced by four hundred twenty-nine thousand eight hundred thirty-four dollars (\$429,834).

(b) The capital construction fund exempt appropriation to the department of transportation, construction projects, is reduced by four hundred twenty-nine thousand eight hundred thirty-four dollars (\$429,834).".

Renumber succeeding section accordingly.

Page 1, line 102, strike "OFFENDERS." and substitute "OFFENDERS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.".

Appropriations

After consideration on the merits, the committee recommends that SB00-063 be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 3, line 1, after "**Intervention**", insert "**Pilot Program**";

line 3, after "INTERVENTION", insert "PILOT PROGRAM".

Page 4, line 3, after "A", insert "PILOT";

line 8, after "**intervention**", insert "**pilot**";

line 10, after "INTERVENTION", insert "PILOT";

line 11, after "INTERVENTION", insert "PILOT";

line 16, after the period, add "PARTICIPATION IN THE INTERVENTION PILOT PROGRAM BY A GOVERNING BODY OR A GROUP OF GOVERNING BODIES SHALL BE STRICTLY VOLUNTARY. THE GOVERNING BODY OF A COUNTY OR CITY AND COUNTY OR GROUP OF GOVERNING BODIES INTERESTED IN PARTICIPATING IN THE INTERVENTION PILOT PROGRAM MAY MAKE A REQUEST TO THE STATE DEPARTMENT TO BE INCLUDED IN THE PILOT PROGRAM. THE STATE DEPARTMENT SHALL ENCOURAGE PARTICIPATION BY GOVERNING BODIES THROUGHOUT THE STATE.";

line 17, strike "UPON" and substitute "IN A COUNTY OR CITY AND COUNTY OF A PARTICIPATING GOVERNING BODY, UPON".

Page 5, line 3, before "GOVERNING", insert "PARTICIPATING".

Page 6, strike line 7 and substitute the following:

"STATE DEPARTMENT SHALL GRANT TO EACH PARTICIPATING GOVERNING BODY A PORTION OF";

line 8, strike "COUNTY OR CITY AND COUNTY";

line 9, after "A", insert "PARTICIPATING";

line 14, after "A", insert "PARTICIPATING";

line 17, strike "APPROPRIATED" and substitute "GRANTED" and after "SUCH", insert "PARTICIPATING";

strike line 19 and substitute the following:

          "(b) EACH PARTICIPATING GOVERNING BODY,";

line 20, after "OTHER", insert "PARTICIPATING".

Page 7, line 3, after "A", insert "PARTICIPATING";

line 8, after "EACH", insert "PARTICIPATING";

line 17, after "INTERVENTION", insert "PILOT".

Page 8, strike lines 17 and 18 and substitute the following:

"DETERMINING THE AMOUNT GRANTED TO EACH PARTICIPATING GOVERNING";

line 19, strike "BODIES OR GROUPS OF GOVERNING BODIES;" and substitute "BODY OR GROUP,";

line 26, after "EACH", insert "PARTICIPATING".

Page 9, line 7, after "THE", insert "PARTICIPATING";

line 24, strike "ALLOCATED TO THE" and substitute "GRANTED TO EACH PARTICIPATING";

line 25, strike "BODIES" and substitute "BODY";

after line 26, insert the following:

**"19-7-106. Independent evaluation.** THE DEPARTMENT SHALL CONTRACT WITH A PUBLIC OR PRIVATE ENTITY TO CONDUCT AN INDEPENDENT EVALUATION OF THE INTERVENTION PILOT PROGRAM. ON OR BEFORE NOVEMBER 1, 2002, AND NO LATER THAN NOVEMBER 1 OF EACH YEAR THEREAFTER, THE DEPARTMENT SHALL PROVIDE A WRITTEN REPORT TO THE GENERAL ASSEMBLY, BASED ON THE INDEPENDENT EVALUATION. THE DEPARTMENT SHALL INCLUDE IN THE REPORT THE INDEPENDENT EVALUATOR'S ASSESSMENT OF THE COST EFFICIENCY AND BENEFIT OF THE INTERVENTION PILOT PROGRAM, CLIENT OUTCOMES, AND IMPACT UPON OTHER GOVERNMENTAL SYSTEMS AS A RESULT OF THE PROVISION OF CRISIS INTERVENTION SERVICES TO ELIGIBLE CHILDREN AND TO SUCH CHILDREN'S PARENTS OR LEGAL GUARDIANS. IN ADDITION, THE DEPARTMENT SHALL INCLUDE IN THE REPORT RECOMMENDATIONS FOR IMPLEMENTATION OF ANY MODEL OR PROPOSED PROGRAM MODIFICATION.

**19-7-107. Repeal.** THIS ARTICLE IS REPEALED, EFFECTIVE JULY 1, 2004."

Page 10, line 9, after ""INTERVENTION", insert "PILOT";

line 10, after "INTERVENTION", insert "PILOT";

after line 11, insert the following:

          "(82.5) "PARTICIPATING GOVERNING BODY", AS USED IN ARTICLE 7 OF THIS TITLE, MEANS THE GOVERNING BODY OF A COUNTY OR CITY AND COUNTY THAT REQUESTS AND IS GRANTED PARTICIPATION IN THE FAMILY

CRISIS INTERVENTION PILOT PROGRAM CREATED PURSUANT TO ARTICLE 7 OF THIS TITLE.";

line 14, after "A", insert "PARTICIPATING";

line 15, strike "(54)" and substitute "(82.5)".

Page 11, after line 3, insert the following:

**"SECTION 3. Appropriation - adjustment in 2000 long bill.**  
(1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of human services, for allocation to the children, youth, and families section, for the fiscal year beginning July 1, 2000, the sum of four hundred thousand dollars (\$400,000), or so much thereof as may be necessary, for the implementation of this act, fifty thousand dollars (\$50,000) of which shall be used for the independent evaluation required in section 19-7-106, Colorado Revised Statutes.

(2) For the implementation of this act, appropriations made in the annual general appropriations act for the fiscal year beginning July 1, 2000, shall be adjusted as follows:

(a) The general fund appropriation to the capital construction fund outlined in section 3 (1) (f) is reduced by four hundred thousand dollars (\$400,000).

(b) The capital construction fund exempt appropriation to the department of transportation, construction projects, is reduced by four hundred thousand dollars (\$400,000).".

Renumber succeeding section accordingly.

Page 1, line 102, strike "SERVICES." and substitute "SERVICES, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.".

Appropriations

After consideration on the merits, the committee recommends that SB00-136 be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 3, strike lines 10 through 12 and substitute the following:

~~"the registry immediately upon receipt of the notice of the conviction from the court pursuant to section 18-6-405 (2), C.R.S. AS SOON AS POSSIBLE AFTER RECEIVING SUCH INFORMATION AND VERIFYING THE INFORMATION WITH THE JUDICIAL DEPARTMENT OR THE COLORADO BUREAU OF INVESTIGATION.";~~

strike lines 17 through 20 and substitute the following:

~~"respondent is not sustained, on receipt of a notice from the court pursuant to section 18-6-405 (2), C.R.S., or section 19-3-505 (6) SUCH INFORMATION, AND AFTER VERIFYING THE INFORMATION WITH THE JUDICIAL DEPARTMENT OR THE COLORADO BUREAU OF INVESTIGATION, the director of the central registry may expunge the record of the report.";~~

strike lines 25 and 26 and substitute the following:

~~"within thirty days after receipt of notice from the court pursuant to section 19-3-505 (6) or section 18-6-405 (2), C.R.S., AS SOON AS POSSIBLE AFTER RECEIVING INFORMATION REGARDING AN ACQUITTAL OR A CASE NOT BEING SUSTAINED, AND AFTER VERIFYING SUCH INFORMATION WITH THE JUDICIAL DEPARTMENT OR THE COLORADO BUREAU OF INVESTIGATION,".~~

Page 4, line 1, strike "(2), C.R.S.,".

Page 5, strike lines 23 through 26 and substitute the following:

"REGISTRY.".

Page 6, strike lines 8 through 11 and substitute the following:

"should not be removed from the central registry. ~~The court shall report all acquittals and convictions for violations of the provisions of this part 4 to the director of the central registry created in section 19-3-313, C.R.S.~~

**SECTION 5.** 19-3-505 (6), Colorado Revised Statutes, is amended to read:

**19-3-505. Adjudicatory hearing - findings - adjudication.**  
(6) When the court finds that the allegations of the petition are not supported by a preponderance of the evidence, the court shall order the petition dismissed and the child discharged from any detention or restriction previously ordered. His or her parents, guardian, or legal custodian shall also be discharged from any restriction or other previous temporary order. The court shall inform the respondent that, pursuant to section 19-3-313 (7) (c), the department may hold a hearing, as soon as possible, to show cause why the respondent's name should not be removed from the central registry. ~~The court shall also send written notice that the petition was not sustained to the director of the central registry created in section 19-3-313."~~

Renumber succeeding sections accordingly.

Appropriations

After consideration on the merits, the committee recommends that SB00-185 be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:

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

**"SECTION 4. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 1999, the sum of two hundred seventy-seven thousand one hundred fourteen dollars (\$227,114), or so much thereof as may be necessary, for the implementation of this act. For purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution, these moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision and, therefore, are not subject to the limitation of General Fund appropriations as set forth in Section 24-75-201.1 (III) (C), Colorado Revised Statutes".  
(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2000, the sum of five hundred fifty-four thousand two hundred twenty-eight dollars (\$554,228), or so much thereof as may be necessary, for the implementation of this act. For purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution, these moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision and, therefore, are not subject to the limitation of General Fund appropriations as set forth in Section 24-75-201.1 (III) (C), Colorado Revised Statutes".

Renumber succeeding section accordingly.

Page 1, line 104, strike "GRANTS." and substitute "GRANTS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

Appropriations

After consideration on the merits, the committee recommends that SB00-199 be amended as follows and, as so amended, be referred favorably to the Committee of the Whole with favorable recommendation:

Amend the Transportation Committee amendment, as printed in Senate Journal, March 10, page 581, strike lines 48 through 57 and substitute the following:

"Amend printed bill, page 6, line 10, strike "JULY 1, 2000." and substitute

"THE EFFECTIVE DATE OF THIS SECTION.";

line 17, strike "JULY 1, 2000," and substitute "THE EFFECTIVE DATE OF THIS SECTION,";

strike lines 19 through 23 and substitute the following:

"(m) TO PREPARE TO IMPLEMENT AND IMPLEMENT THE TEST PROGRAM AND DEMONSTRATION PROJECT PLAN THAT HAS BEEN APPROVED BY THE GENERAL ASSEMBLY AND THE VOTERS OF THE STATE IN ACCORDANCE WITH SECTION 32-16-108 (3). IN".

Page 582, after line 14, insert the following:

"Page 11, line 17, strike "SECTIONS 32-16-108 (3) AND 32-16-202," and substitute "SECTION 32-16-108 (3),";

line 18, strike "QUESTION" and substitute "QUESTIONS";

line 22, after "PLAN", insert "AND WHETHER THE AUTHORITY SHOULD BE AUTHORIZED TO IMPLEMENT THE TEST PROGRAM AND DEMONSTRATION PROJECT PLAN".

line 34 of the Journal, strike "SYSTEM;". and substitute "SYSTEM;";

strike lines 36 through 38 and substitute the following:

"strike lines 20 through 26.

Page 17, strike lines 1 through 17.

Renumber succeeding C.R.S. sections accordingly.

Page 17, strike line 26.

Page 18, strike line 1 and substitute the following:

"(2) THE STATE TREASURER".

Page 19, line 4, strike "REVENUES." and substitute "REVENUES BY APPROVING SENATE BILL 00-199, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SECOND GENERAL ASSEMBLY, AT THE NOVEMBER 2000 GENERAL ELECTION.";

line 16, strike "THE BALLOT";

strike line 17 and substitute the following:

"SENATE BILL 00-199, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SECOND GENERAL ASSEMBLY, BY THE VOTERS OF THE STATE AT THE NOVEMBER 2000 GENERAL ELECTION.";

strike lines 19 through 26.

Page 20, strike lines 1 and 2 and substitute the following:

**"SECTION 9. Refer to people under referendum.** (1) Subject to the provisions of subsection (2) of this section, this act shall be submitted to a vote of the registered electors of the state of Colorado at the next election for which it may be submitted, for their approval or rejection, under the provisions of the referendum as provided for in section 1 of article V and section 20 of article X of the state constitution, and in article 40 of title 1, Colorado Revised Statutes. Each elector voting at said election and desirous of voting for or against said act shall cast a vote as provided by law either "Yes" or "No" on the proposition: "SHALL THE COLORADO MONORAIL AUTHORITY, WHICH PRESENTLY EXISTS AS THE COLORADO INTERMOUNTAIN FIXED GUIDEWAY AUTHORITY, BE AUTHORIZED TO IMPLEMENT A MONORAIL TEST PROGRAM AND PROJECT DEMONSTRATION PLAN THAT WILL BE A PRELIMINARY STAGE IN THE POTENTIAL DEVELOPMENT OF A MONORAIL SYSTEM FOR THE INTERSTATE HIGHWAY 70 CORRIDOR, AND, IN CONNECTION THEREWITH, SHALL THE STATE OF COLORADO BE PERMITTED TO ANNUALLY RETAIN UP TO FIFTY

MILLION DOLLARS OF THE STATE REVENUES IN EXCESS OF THE CONSTITUTIONAL LIMIT ON STATE FISCAL YEAR SPENDING FOR THE 1999-2000 AND 2000-01 STATE FISCAL YEARS FOR THE PURPOSE OF FUNDING THE TEST PROGRAM AND PROJECT DEMONSTRATION PLAN, SHALL THE NAME OF THE COLORADO INTERMOUNTAIN FIXED GUIDEWAY AUTHORITY BE CHANGED TO THE COLORADO MONORAIL AUTHORITY; SHALL THE AUTHORITY BE GRANTED LIMITED POWERS TO USE STATE LANDS OR RIGHTS-OF-WAY, EXERCISE THE POWER OF EMINENT DOMAIN, AND ENTER INTO CONTRACTS, INCLUDING DESIGN-BUILD CONTRACTS, TO THE EXTENT NECESSARY TO IMPLEMENT THE TEST PROGRAM AND PROJECT DEMONSTRATION PLAN, AND OTHERWISE FULFILL ITS DUTIES; AND SHALL THE COLORADO MONORAIL FUND BE CREATED?" The votes cast for the adoption or rejection of said act shall be canvassed and the result determined in the manner provided by law for the canvassing of votes for representatives in Congress.

(2) Notwithstanding the provisions of subsection (1) of this section, this act shall not be submitted to a vote of the registered electors of the state of Colorado until such time as the department of transportation has adopted an integrated statewide mass transit plan that addresses the issue of mass transit throughout the state and within the corridor. If the department does not adopt such an integrated statewide mass transit plan prior to the November 2000 general election, this act shall not be referred to the registered electors of the state and shall not take effect."."

MESSAGE FROM THE HOUSE

April 10, 2000

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB00-1447, amended as printed in House Journal, April 7, pages 1371-1374. HB00-1456, amended as printed in House Journal, April 7, page 1375.

MESSAGE FROM THE REVISOR

April 10, 2000

We herewith transmit:

without comment, as amended, HB00-1447 and 1456.

FIRST REPORT OF FIRST CONFERENCE COMMITTEE  
ON HB00-1267

\*\*\*\*\*  
THIS REPORT AMENDS THE  
REREVISED BILL  
\*\*\*\*\*

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

Your first conference committee appointed on HB00-1267, concerning the administration of the "Pet Animal Care and Facilities Act" by the department of agriculture, 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, with the following changes:

Amend rerevised bill, page 5, after line 5, insert the following:



"SECTION 9. Article 80 of title 35, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**35-80-112.5. Denial of license - animal cruelty conviction.** (1) THE COMMISSIONER, PURSUANT TO THE PROVISIONS OF ARTICLE 4 OF TITLE 24, C.R.S., MAY DENY, REFUSE TO RENEW, OR REVOKE ANY LICENSE AUTHORIZED UNDER THIS ARTICLE IF THE APPLICANT OR LICENSEE HAS BEEN CONVICTED OF CRUELTY TO ANIMALS PURSUANT TO ARTICLE 9 OF TITLE 18, C.R.S., OR ANY SIMILAR STATUTE OF ANY OTHER STATE.

(2) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, THE COMMISSIONER, PURSUANT TO THE PROVISIONS OF ARTICLE 4 OF TITLE 24, C.R.S., SHALL DENY, REFUSE TO RENEW, OR REVOKE ANY LICENSE AUTHORIZED UNDER THIS ARTICLE IF THE APPLICANT OR LICENSEE HAS BEEN CONVICTED, AT ANY TIME, OF ONE OR MORE VIOLATIONS OF SECTION 18-9-202, C.R.S., THE UNDERLYING FACTUAL BASIS OF WHICH HAS BEEN FOUND BY THE COURT TO INCLUDE THE KNOWING OR INTENTIONAL TORTURE OR TORMENT OF AN ANIMAL WHICH NEEDLESSLY INJURES, MUTILATES, OR KILLS AN ANIMAL."

Renumber succeeding sections accordingly.

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 3, line 4, before "MEANS", insert "OR "LARGE SCALE OPERATION DOG BREEDER"";

line 8, before "MEANS", insert "OR "SMALL SCALE OPERATION DOG BREEDER"".

Page 5, line 13, after "35-80-115 (1) (c),", insert "(1) (n),";

after line 24, insert the following:

"(n) One person who represents ~~commercial~~ LARGE SCALE OPERATION dog breeders."

Respectfully submitted,

House Committee:  
(Signed)  
Rep. Steve Johnson, Chairman  
Rep. Matt Smith  
Rep. Dan Grossman

Senate Committee:  
(Signed)  
Sen. Mark Hillman, Chairman  
Sen. Robert M. Hernandez  
Sen. Ginette Dennis

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE  
ON HB00-1229**

\*\*\*\*\*  
THIS REPORT AMENDS THE  
REREVISED BILL  
\*\*\*\*\*

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

Your first conference committee appointed on HB00-1229, concerning the selection of the lieutenant governor, 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 the amendments appear in the rerevised bill.

2. That, under the authority granted to the committee to consider matters not at issue between the two houses, the following amendment is recommended:

Amend rerevised bill, page 2, line 2, strike "2003," and substitute "2001,".

Page 3, line 3, strike "2003:" and substitute "2001:".

Page 5, line 14, strike "2003," and substitute "2001,";

line 22, strike "2003," and substitute "2001,".1

Page 6, line 24, strike "2003," and substitute "2001,".2

Page 7, line 15, strike "2007," and substitute "2003,".3

Respectfully submitted,4

House Committee:Senate Committee:5

(Signed)(Signed)6

Rep. Gary McPherson, ChairmanSen. Ken Chlouber, Chairman7

Rep. William KaufmanSen. Ginette Dennis8

Rep. Gloria LeybaSen. Alice Nichol9

INTRODUCTION OF BILL10

The following bill was read by title and referred to the committee indicated:11

HB 00-1456 by Representatives Paschall, Coleman, George, Kester, Larson, May, McKay, Spradley12

and Zimmerman; also Senators Wattenberg, Hillman, Anderson, Matsunaka and Phillips--13

Concerning a requirement that insurers notify parties of the status of a claim in a timely14

manner.15

Business Affairs & Labor16

INTRODUCTION OF RESOLUTION17

The following resolution was read by title and referred to the committee indicated:18

SCR 00-009 by Senators Pascoe, Feeley, Hernandez, Linkhart, Matsunaka, Perlmutter, Phillips, Tanner,19

Thiebaut, and Weddig, Feeley, Hernandez, Linkhart, Matsunaka, Perlmutter, Phillips,20

Tanner, Thiebaut and Weddig; --Concerning the submission to the registered electors of21

the state of Colorado of an amendment to article XVIII of the constitution of the state of22

Colorado, requiring that background checks be conducted on prospective firearms23

transferees if any part of the transaction occurs at a gun show, and, in connection24

therewith, directing that a gun show vendor require a background check on a prospective25

transferee and obtain approval of the transfer from the Colorado bureau of investigation;26

requiring gun show promoters to arrange for the services of federally licensed gun dealers27

to obtain background checks at gun shows; prohibiting the transfer of a firearm if a28

background check has not been obtained by a federally licensed gun dealer; requiring29

record keeping and retention by federally licensed gun dealers who obtain background30

checks; permitting federally licensed gun dealers to charge a fee of up to ten dollars for31

each background check conducted at a gun show; requiring gun show promoters to32

prominently post notice of the background check requirement; establishing criminal33

penalties for violations of these requirements; exempting transfers of certain antique34

firearms, relics, and curios from the background check requirement; and requiring the35

appropriation of funds necessary to implement the measure.36

State, Veterans, & Military Affairs37

TRIBUTES--A POINT OF INTEREST38

Memorializing Clifford Eugene Haynes by Senator Linkhart39

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On motion of Senator Blickensderfer, the Senate adjourned until 9:00 a.m., Tuesday,  
April 11, 2000.

Approved:

Ray Powers  
President of the Senate

Attest:

Patricia K. Dicks  
Secretary of the Senate

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