

SENATE JOURNAL
Sixty-third General Assembly
STATE OF COLORADO
First Regular Session

Seventeenth Legislative Day Friday, January 26, 2001

- Prayer By the chaplain, Father Michael Sheeran, President, Regis University.
- Call to Order By the President at 9:00 a.m.
- Roll Call Present--Total, 32.
Absent/Excused--Anderson, Dennis, Reeves--Total 3.
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator F. Jim Dyer, reading of the Journal of Thursday, January 25, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

The committees recommend the following:

- Agriculture and Natural Resources After consideration on the merits, the committee recommends that **SB01-112** be referred favorably to the Committee of the Whole, and a recommendation that the bill be placed on the consent calendar.
- Education After consideration on the merits, the committee recommends that **SB01-082** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 4, line 3, after "OPERATION", insert "AND IMPLEMENTATION";

strike lines 8 through 10 and substitute the following:

"AND FOR CATEGORICAL PROGRAMS."

Page 5, line 13, after "(2)", insert "(a)";

line 18, strike "(a)" and substitute "(I)";

line 20, strike "(b)" and substitute "(II)";

after line 21, insert the following:

"(b) "ACCOUNTABLE EDUCATION REFORM" INCLUDES ANY PROGRAM OR PLAN FOR IMPROVING TEACHER QUALITY.";

strike line 24 and substitute the following:

"ASSIST STUDENTS IN DEMONSTRATING IMPROVED ACADEMIC ACHIEVEMENT ON".

Page 7, after line 5, insert the following:

"(9) "FEDERAL TAXABLE INCOME, AS MODIFIED BY LAW" MEANS FEDERAL TAXABLE INCOME AS MODIFIED BY SECTION 39-22-104, C.R.S., TO THE EXTENT FEDERAL TAXABLE INCOME IS NOT BEING MODIFIED TO EFFECTUATE A REFUND OF EXCESS STATE REVENUES REQUIRED TO BE REFUNDED PURSUANT TO SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION."

Renumber succeeding subsections accordingly.

Page 7, after line 8, insert the following:

Page 92	Senate Journal-Seventeenth Day-January 26, 2001	
SB01-082	"(11) "INCENTIVES" MEAN DIRECT STATE SUPPORT FOR LOCAL PROGRAMS SPECIFIED BY THE GENERAL ASSEMBLY OR RECOMMENDED BY THE REFORM COUNCIL AND PROVIDED BY MEANS OF FULL OR PARTIAL MATCHING FUNDS FROM THE STATE BOARD PURSUANT TO SECTION 22-55-109."	1 2 3 4 5 6
	Renumber succeeding subsections accordingly.	7
	Page 7, strike lines 17 through 20.	8 9
	Renumber succeeding subsections accordingly.	10
	Page 7, strike lines 25 and 26 and substitute the following:	11 12
	"(c) PROMOTE TEACHER USE OF TECHNOLOGY."	13 14 15
	Page 8, after line 2, insert the following:	16
	"(16) "PRIORITY NEEDS SCHOOL" MEANS A PUBLIC SCHOOL WITH:	17 18
	(a) LESS THAN FIFTY PERCENT OF ITS STUDENTS SCORING AT LEAST PROFICIENT ON THE STUDENT ASSESSMENTS ADMINISTERED UNDER THE COLORADO STUDENT ASSESSMENT PROGRAM DEVELOPED PURSUANT TO PART 4 OF ARTICLE 7 OF THIS TITLE;	19 20 21 22 23 24 25
	(b) MORE THAN FIFTY PERCENT OF ITS STUDENT POPULATION DEFINED AS AT-RISK PURSUANT TO SECTION 22-33-202; OR	26 27 28
	(c) MORE THAN THIRTY PERCENT OF ITS STUDENTS ENTERING OR WITHDRAWING FROM THE SCHOOL BETWEEN OCTOBER 1 OF A GIVEN SCHOOL YEAR AND THE END OF THAT SCHOOL YEAR; OR	29 30 31 32
	(d) MORE THAN THIRTY PERCENT OF ITS STUDENTS ELIGIBLE FOR FREE LUNCH PURSUANT TO THE PROVISIONS OF THE FEDERAL "NATIONAL SCHOOL LUNCH ACT".	33 34 35 36
	Renumber succeeding subsections accordingly.	37
	Page 8, strike lines 3 and 4 and substitute the following:	38 39
	"(17) "REFORM COUNCIL" MEANS THE ACCOUNTABLE EDUCATION REFORM COUNCIL CREATED IN SECTION 22-55-108.";	40 41 42 43
	line 25, strike the second "OR".	44
	Page 9, strike line 1 and substitute the following:	45 46
	"THE STUDENTS AND THE TEACHERS; OR	47 48 49
	(c) INCREASE COMMUNICATION AND MENTORING BETWEEN ADULTS AND YOUTH TO IMPROVE THE SCHOOL CLIMATE.";	50 51 52
	line 8, strike "STUDENTS." and substitute "STUDENTS AND TEACHERS OR IMPROVE INSTRUCTION THROUGH TECHNOLOGY APPLICATION.";	53 54 55
	strike lines 25 and 26 and substitute the following:	56 57
	"FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2001, AND DEPOSITED IN THE FUND PURSUANT TO SECTION 17 (4) (a) OF ARTICLE IX OF THE STATE CONSTITUTION AND ALL INTEREST AND INCOME DERIVED";	58 59 60 61 62
	line 27, after "FUND.", insert "THE AMOUNT OF REVENUES TO BE DEPOSITED IN THE FUND SHALL BE DERIVED FROM THE ESTIMATE OF GENERAL FUND REVENUES PREPARED PURSUANT TO SECTION 24-75-201.3, C.R.S.".	63 64 65 66 67
	Page 10, strike lines 7 and 8 and substitute the following:	68 69
	"FUND SHALL REMAIN IN THE FUND. THE MONEYS IN THE";	70 71
	line 12, after "INTEREST", insert "AND INCOME";	72

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line 15, strike "(e);" and substitute "(c)";

strike lines 17 and 18 and substitute the following:

"REVENUES COLLECTED BY THE STATE AND DEPOSITED IN THE FUND
PURSUANT TO SECTION 17 (4) (a) OF ARTICLE IX OF THE STATE
CONSTITUTION.";

line 22, after "APPROPRIATE", insert "ALL";

line 26, strike "AND";

after line 26, insert the following:

"(II) MAKE DISTRIBUTIONS REQUIRED BY THE "PUBLIC SCHOOL
FINANCE ACT OF 1994", ARTICLE 54 OF THIS TITLE; AND".

Renumber succeeding subparagraph accordingly.

Page 10, line 27, after "GRANTS", insert "AND INCENTIVES" and strike
"REVIEW" and substitute "STATE".

Page 11, strike line 1 and substitute the following:

"DISTRICTS, PUBLIC SCHOOLS, OR CONSORTIA OF PUBLIC SCHOOLS IN
ACCORDANCE WITH SECTION 22-55-109.";

line 3, strike "REVIEW BOARD" and substitute "STATE BOARD OR THE
REFORM COUNCIL";

line 4, strike "ARTICLE." and substitute "ARTICLE; EXCEPT THAT THE
MONEYS IN THE FUND MAY BE USED BY THE DEPARTMENT TO FUND
CURRICULUM SUPPORT AND ASSISTANCE AS NECESSITATED BY THE
REQUIREMENTS OF THIS ARTICLE, BUT IN NO EVENT SHALL MONEYS IN THE
FUND BE USED TO PROVIDE FUNDING TO THE DEPARTMENT FOR MORE THAN
2 FTE.";

strike lines 5 through 7 and substitute the following:

"(3) FOR THE 2001-02 FISCAL YEAR AND EACH FISCAL YEAR
THEREAFTER, THE GENERAL ASSEMBLY MAY APPROPRIATE A PRUDENT
AMOUNT OF MONEYS IN THE FUND TO";

line 8, after "22-55-105", insert "AND TO MAKE DISTRIBUTIONS REQUIRED
BY THE "PUBLIC SCHOOL FINANCE ACT OF 1994", ARTICLE 54 OF THIS
TITLE,";

strike line 9 and substitute the following:

"TO THE DEPARTMENT FOR";

line 10, after "DISTRIBUTION", insert "BY THE STATE BOARD" and strike
"THIS ARTICLE." and substitute "SECTION 22-55-109. IN DETERMINING THE
AMOUNT OF MONEYS IN THE FUND THAT MAY BE PRUDENTLY
APPROPRIATED, THE GENERAL ASSEMBLY SHALL TAKE INTO
CONSIDERATION THE REVIEW CONDUCTED PURSUANT TO SUBSECTION (6)
OF THIS SECTION.";

after line 20, insert the following:

"(5) (a) THE STATE TREASURER MAY CONTRACT WITH ONE OR
MORE PRIVATE, PROFESSIONAL FUND MANAGERS, PROFESSIONAL FUND
ADVISORS, OR PORTFOLIO MANAGERS FOR THE MANAGEMENT AND
INVESTMENT OF MONEYS IN THE STATE EDUCATION FUND. THE MONEYS IN
THE FUND MAY BE INVESTED IN THE TYPES OF INVESTMENTS AUTHORIZED
IN SECTIONS 24-36-109, 24-36-112, AND 24-36-113, C.R.S.

(b) THE STATE TREASURER SHALL REPORT TO THE GENERAL
ASSEMBLY AND THE STATE BOARD NO LATER THAN DECEMBER 1, 2001,
AND EACH DECEMBER 1 THEREAFTER REGARDING THE STATUS OF THE
FUND, INCLUDING THE AMOUNT OF MONEYS DEPOSITED IN AND
DISTRIBUTED FROM THE FUND AND THE BALANCE OF THE FUND.

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(6) BY FEBRUARY 1, 2002, AND BY EACH FEBRUARY 1 THEREAFTER, THE STATE AUDITOR, IN CONSULTATION WITH THE STAFF OF THE LEGISLATIVE COUNCIL, THE OFFICE OF STATE PLANNING AND BUDGETING, THE STATE TREASURER, THE DEPARTMENT, AND THE JOINT BUDGET COMMITTEE, SHALL CAUSE TO BE CONDUCTED A REVIEW OF THE MODEL USED TO FORECAST REVENUES IN AND EXPENDITURES FROM THE FUND AND THE SPENDING REQUIREMENTS OF THE "PUBLIC SCHOOL FINANCE ACT OF 1994", ARTICLE 54 OF THIS TITLE. THE REVIEW SHALL INCLUDE, BUT NEED NOT BE LIMITED TO:

(a) DETERMINING THE REASONABLENESS OF THE ASSUMPTIONS USED TO FORECAST THE REVENUES AND EXPENDITURES;

(b) REVISING THE ASSUMPTIONS AS NECESSARY; AND

(c) PROVIDING INFORMATION ON THE FINANCIAL STABILITY OF THE FUND TO THE GENERAL ASSEMBLY.";

line 25, after "BY", insert "AT LEAST".

Page 12, line 3, after "BY", insert "AT LEAST";

line 15, after "BY", insert "AT LEAST";

line 20, after "BY", insert "AT LEAST".

Page 13, line 4, strike "FIVE AND SIXTY-FIVE" and substitute "NOT LESS THAN THE AVERAGE ANNUAL PERCENTAGE INCREASE IN THE GENERAL FUND APPROPRIATIONS FOR TOTAL PROGRAM FOR THE SIX IMMEDIATELY PRECEDING FISCAL YEARS OR FIVE";

line 5, strike "ONE-HUNDREDTHS";

line 6, strike "YEAR." and substitute "YEAR, WHICHEVER IS GREATER.";

strike lines 7 through 26 and substitute the following:

"22-55-107. Accountability. EACH SCHOOL DISTRICT IN THE STATE SHALL INCLUDE IN ITS ACCREDITATION CONTRACT ENTERED INTO WITH THE STATE BOARD IN ACCORDANCE WITH SECTION 22-11-201 A CONTINUOUS PLAN FOR THE USE OF REVENUES DISTRIBUTED TO THE SCHOOL DISTRICT PURSUANT TO SECTIONS 22-55-104 AND 22-55-105. THE PLAN SHALL BE ANNUALLY UPDATED BY THE SCHOOL DISTRICT TO REFLECT ANY CHANGES IN THE USE OF THE REVENUES DISTRIBUTED TO THE SCHOOL DISTRICT PURSUANT TO SECTIONS 22-55-104 AND 22-55-105. THE PLAN SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, A STATEMENT CONCERNING THE NEED FOR LOWER CLASS SIZES IN THE SCHOOL DISTRICT AS DETERMINED BASED ON DISCUSSIONS IN PUBLIC MEETINGS HELD IN THE SCHOOL DISTRICT TO ADDRESS THE CLASS SIZE ISSUE AND WHETHER THE NEED WILL BE ADDRESSED BY THE PLAN. EACH SCHOOL DISTRICT SHALL ALSO INCLUDE IN ITS ELECTRONIC TRANSMISSIONS REQUIRED BY SECTION 22-7-603 (3) (d) AN ACCOUNTING OF THE IMPACT OF SUCH REVENUES ON STUDENT ACHIEVEMENT.";

line 27, strike "State education fund review board" and substitute "Accountable education reform council".

Page 14, strike lines 2 and 3 and substitute the following:

"ESTABLISHED THE ACCOUNTABLE EDUCATION REFORM COUNCIL. THE REFORM COUNCIL SHALL CONSIST OF:

(I) TWO NONVOTING MEMBERS AS FOLLOWS:

(A) THE COMMISSIONER OF EDUCATION OR THE COMMISSIONER'S DESIGNEE; AND

(B) A MEMBER OF THE STATE BOARD; AND

(II) NINE MEMBERS OF THE PUBLIC APPOINTED AS";

strike lines 5 through 7 and substitute the following:

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"(A) ONE MEMBER APPOINTED BY THE MAJORITY LEADER OF THE SENATE AND ONE MEMBER APPOINTED BY THE MINORITY LEADER OF THE SENATE;

(B) ONE MEMBER APPOINTED BY THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES AND ONE MEMBER APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES; AND";

line 8, strike "(III)" and substitute "(C)";

line 10, strike "REVIEW BOARD" and substitute "REFORM COUNCIL";

line 13, strike "REVIEW BOARD" and substitute "REFORM COUNCIL";

line 15, strike "REVIEW BOARD" and substitute "REFORM COUNCIL";

line 19, strike "REVIEW BOARD" and substitute "REFORM COUNCIL";

line 20, strike "COLORADO" and substitute "COLORADO, NO MORE THAN FOUR MEMBERS SHALL BELONG TO THE SAME POLITICAL PARTY,";

line 21, strike "REVIEW BOARD" and substitute "REFORM COUNCIL";

strike line 23 and substitute the following:

"(II) TWO MEMBERS OF THE REFORM COUNCIL SHALL BE THE PARENTS OF CHILDREN";

line 24, strike "A CHILD";

line 25, strike "REVIEW BOARD" and substitute "REFORM COUNCIL";

line 27, strike "REVIEW BOARD" and substitute "REFORM COUNCIL".

Page 15, line 1, strike "AND";

line 2, strike "REVIEW BOARD" and substitute "REFORM COUNCIL";

strike line 3 and substitute the following:

"PLANNER; AND

(VI) ONE MEMBER OF THE REFORM COUNCIL SHALL BE A MEMBER OF A BOARD OF EDUCATION OF A SCHOOL DISTRICT IN THE STATE.";

line 4, strike "REVIEW BOARD" and substitute "REFORM COUNCIL";

line 5, strike "REVIEW BOARD." and substitute "REFORM COUNCIL.";

line 6, strike "REVIEW BOARD" and substitute "REFORM COUNCIL";

line 9, strike "REVIEW BOARD" and substitute "REFORM COUNCIL";

line 11, strike "REVIEW BOARD." and substitute "REFORM COUNCIL.";

line 13, strike "REVIEW BOARD" and substitute "REFORM COUNCIL";

line 16, strike "REVIEW BOARD" and substitute "REFORM COUNCIL";

line 17, strike "REVIEW BOARD." and substitute "REFORM COUNCIL.";

line 19, strike "REVIEW BOARD" and substitute "REFORM COUNCIL";

strike lines 21 through 27.

Page 16, strike lines 1 through 12 and substitute the following:

"(a) TO REVIEW GRANT AND INCENTIVE APPLICATIONS SUBMITTED IN ACCORDANCE WITH SECTION 22-55-109 (2) AND TO MAKE RECOMMENDATIONS TO THE STATE BOARD NO LATER THAN AUGUST 31, 2001, REGARDING THE ISSUANCE OF GRANTS AND INCENTIVES PURSUANT TO SECTION 22-55-109 (2) FOR THE 2001-02 SCHOOL DISTRICT BUDGET

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		2
	(b) TO SOLICIT AND REVIEW GRANT AND INCENTIVE APPLICATIONS	3
	SUBMITTED IN ACCORDANCE WITH SECTION 22-55-109 (3) AND TO MAKE	4
	RECOMMENDATIONS TO THE STATE BOARD NO LATER THAN MAY 1, 2002,	5
	AND MAY 1 OF EACH YEAR THEREAFTER REGARDING THE ISSUANCE OF	6
	GRANTS AND INCENTIVES FOR THE SUCCEEDING SCHOOL DISTRICT BUDGET	7
	YEAR PURSUANT TO SECTION 22-55-109 (3);".	8
		9
	Reletter succeeding paragraphs accordingly.	10
		11
	Page 16, strike line 15 and substitute the following: "AND USED TO MATCH GRANTS AND	12
	INCENTIVES TO SCHOOL DISTRICTS, PUBLIC SCHOOLS, AND CONSORTIA OF PUBLIC SCHOOLS";	13
		14
	strike lines 17 through 26;	15
		16
	line 27, strike "REVIEW BOARD" and substitute "REFORM COUNCIL".	17
		18
	Page 17, line 2, strike "REVIEW BOARD" and substitute "REFORM	19
	COUNCIL";	20
		21
	line 4, strike "REVIEW BOARD" and substitute "REFORM COUNCIL";	22
		23
	strike lines 6 through 25 and substitute the following:	24
		25
	"22-55-109. Grants and incentives - funding from accountable	26
	education reform fund - creation of fund. (1) FOR THE SCHOOL	27
	DISTRICT BUDGET YEAR 2001-02 AND EACH SCHOOL DISTRICT BUDGET YEAR	28
	THEREAFTER, THE STATE BOARD IS AUTHORIZED TO AWARD GRANTS	29
	AND INCENTIVES FROM MONEYS APPROPRIATED TO THE DEPARTMENT	30
	PURSUANT TO SECTION 22-55-103 (3) TO SCHOOL DISTRICTS, PUBLIC	31
	SCHOOLS, AND CONSORTIA OF PUBLIC SCHOOLS IN ACCORDANCE WITH THE	32
	PROVISIONS OF THIS SECTION FOR ANY OF THE FOLLOWING PURPOSES:	33
		34
	(a) ACCOUNTABLE EDUCATION REFORM;	35
		36
	(b) ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC	37
	STANDARDS;	38
		39
	(c) CLASS SIZE REDUCTION;	40
		41
	(d) EXPANDING TECHNOLOGY EDUCATION;	42
		43
	(e) IMPROVING STUDENT SAFETY;	44
		45
	(f) EXPANDING THE AVAILABILITY OF PRESCHOOL AND	46
	KINDERGARTEN PROGRAMS;	47
		48
	(g) PERFORMANCE INCENTIVES FOR TEACHERS; OR	49
		50
	(h) ACCOUNTABILITY REPORTING.	51
		52
	(2) (a) ANY SCHOOL DISTRICT, PUBLIC SCHOOL, OR CONSORTIA OF	53
	PUBLIC SCHOOLS SEEKING A GRANT OR INCENTIVE FOR THE 2001-02	54
	SCHOOL DISTRICT BUDGET YEAR SHALL APPLY IN WRITING TO THE STATE	55
	BOARD AND THE REFORM COUNCIL NO LATER THAN AUGUST 1, 2001. ANY	56
	GRANT OR INCENTIVE APPLICATION SUBMITTED PURSUANT TO THIS	57
	SUBSECTION (2) SHALL EXPLAIN THE NEED FOR THE GRANT OR INCENTIVE,	58
	THE INTENDED USE OF THE GRANT OR INCENTIVE, AND A STATEMENT	59
	REGARDING WHETHER THE GRANT OR INCENTIVE WILL BE USED FOR A	60
	PRIORITY NEEDS SCHOOL. THE REFORM COUNCIL SHALL MAKE	61
	RECOMMENDATIONS TO THE STATE BOARD FOR THE ISSUANCE OF GRANTS	62
	AND INCENTIVES TO SCHOOL DISTRICTS, PUBLIC SCHOOLS, AND CONSORTIA	63
	OF PUBLIC SCHOOLS THAT HAVE SUBMITTED APPLICATIONS IN	64
	ACCORDANCE WITH THIS SUBSECTION (2), AND SUCH RECOMMENDATIONS	65
	SHALL BE MADE TO THE STATE BOARD NO LATER THAN AUGUST 31, 2001.	66
	THE REFORM COUNCIL SHALL GIVE PREFERENCE TO PRIORITY NEEDS	67
	SCHOOLS IN THE STATE IN MAKING ITS RECOMMENDATIONS TO THE STATE	68
	BOARD, AND THE STATE BOARD SHALL GIVE PREFERENCE TO PRIORITY	69
	NEEDS SCHOOLS IN DISTRIBUTING GRANTS AND INCENTIVES PURSUANT TO	70
	THIS SUBSECTION (2).	71
		72

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(b) FOR PURPOSES OF PUBLIC SCHOOLS THAT ARE NOT CONSIDERED PRIORITY NEEDS SCHOOLS, THE REFORM COUNCIL SHALL CONSIDER THE FOLLOWING CRITERIA IN MAKING RECOMMENDATIONS FOR SUCH SCHOOLS TO RECEIVE GRANTS AND INCENTIVES PURSUANT TO THIS SECTION:

(I) THE SCHOOL'S POTENTIAL FOR INCREASING STUDENT ACHIEVEMENT;

(II) THE NUMBER OF LOW-PERFORMING STUDENTS THAT WILL BE IMPACTED BY THE ADDITIONAL MONEYS; AND

(III) THE SEVERITY OF THE LEARNING CHALLENGES OF THE STUDENTS WHO WILL BENEFIT FROM THE ADDITIONAL MONEYS.

(c) GRANTS AND INCENTIVES AWARDED PURSUANT TO THIS SUBSECTION (2) SHALL BE ISSUED NO LATER THAN SEPTEMBER 30, 2001.";

line 26, strike "(2) (a) FOR" and substitute "(3) (a) SUBJECT TO THE PROVISIONS OF PARAGRAPH (b) OF THIS SUBSECTION (3), FOR".

Page 18, line 1, strike "DISTRICT" and substitute "DISTRICT, PUBLIC SCHOOL, OR CONSORTIA OF PUBLIC SCHOOLS";

line 2, strike "REVIEW" and substitute "STATE" and after "SUBMITTED", insert "TO THE STATE BOARD AND THE REFORM COUNCIL";

line 3, strike "REVIEW" and substitute "STATE";

strike lines 4 through 19 and substitute the following:

"SUBSECTION (4) OF THIS SECTION, THE REFORM COUNCIL MAY RECOMMEND THAT THE STATE BOARD AWARD GRANTS OR INCENTIVES TO SCHOOL DISTRICTS, PUBLIC SCHOOLS, OR CONSORTIA OF PUBLIC SCHOOLS.

(b) IN MAKING ITS RECOMMENDATIONS FOR THE 2002-03 SCHOOL DISTRICT BUDGET YEAR, THE REFORM COUNCIL SHALL GIVE PREFERENCE TO PRIORITY NEEDS SCHOOLS IN THE STATE, AND THE STATE BOARD SHALL GIVE PREFERENCE TO PRIORITY NEEDS SCHOOLS IN DISTRIBUTING GRANTS AND INCENTIVES PURSUANT TO THIS SUBSECTION (3) FOR THE 2002-03 SCHOOL DISTRICT BUDGET YEAR.

(c) GRANTS AND INCENTIVES AWARDED PURSUANT TO THIS SUBSECTION (3) SHALL BE ISSUED NO LATER THAN AUGUST 1 OF THE SCHOOL DISTRICT BUDGET YEAR IMMEDIATELY SUCCEEDING THE SCHOOL DISTRICT BUDGET YEAR IN WHICH THE APPLICATION WAS MADE.

(4) THE STATE BOARD SHALL PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S., ESTABLISHING THE PROCEDURE TO BE USED BY SCHOOL DISTRICTS, PUBLIC SCHOOLS, AND CONSORTIA OF PUBLIC SCHOOLS TO APPLY FOR GRANTS AND INCENTIVES PURSUANT TO SUBSECTION (3) OF THIS SECTION FOR THE 2002-03 SCHOOL DISTRICT BUDGET YEAR AND EACH SCHOOL DISTRICT BUDGET YEAR THEREAFTER.

(5) THE STATE BOARD SHALL REPORT TO THE GENERAL ASSEMBLY NO LATER THAN DECEMBER 1, 2001, AND EACH DECEMBER 1 THEREAFTER REGARDING THE ISSUANCE OF GRANTS AND INCENTIVES PURSUANT TO THIS SECTION. THE REPORT SHALL CONTAIN, BUT NEED NOT BE LIMITED TO, A LIST OF THE RECIPIENTS OF GRANTS AND INCENTIVES, THE AMOUNT RECEIVED BY EACH RECIPIENT, AND THE TOTAL AMOUNTS ISSUED BY THE STATE BOARD PURSUANT TO THIS SECTION.

SECTION 2. 22-7-603 (3) (d), Colorado Revised Statutes, is amended to read:

22-7-603. State data reporting system. (3) The specific responsibilities of each school district shall include:

(d) Electronically transmitting required data elements AND AN ACCOUNTING AS REQUIRED BY SECTION 22-55-107 to the appropriate processing locations in accordance with guidelines established by the department;

SB01-082	<p>SECTION 3. 22-11-201 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:</p> <p>22-11-201. Accreditation contract. (4) Contract requirements - management. (c) THE ACCREDITATION CONTRACT SHALL ALSO CONTAIN A PLAN FOR THE USE OF REVENUES DISTRIBUTED TO THE SCHOOL DISTRICT PURSUANT TO SECTIONS 22-55-104 AND 22-55-105 FOR THE TERM OF THE CONTRACT. IF THE CONTRACT IS RENEGOTIATED PURSUANT TO PARAGRAPH (b) OF SUBSECTION (6) OF THIS SECTION, THE PLAN SHALL BE UPDATED TO REFLECT ANY CHANGES IN THE USE OF THE REVENUES DISTRIBUTED TO THE SCHOOL DISTRICT PURSUANT TO SECTIONS 22-55-104 AND 22-55-105."</p> <p>Renumber succeeding section accordingly.</p>	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17
Education	<p>After consideration on the merits, the committee recommends that SB01-080 be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation:</p> <p>Amend printed bill, page 3, line 22, after "ACTIVITIES", insert "OR CLASSROOM ACTIVITIES,".</p>	18 19 20 21 22 23 24 25 26
Government, Veterans and Military Relations, and Transportation	<p>After consideration on the merits, the committee recommends that SB01-018 be postponed indefinitely.</p>	27 28 29 30 31 32 33 34
Government, Veterans and Military Relations, and Transportation	<p>After consideration on the merits, the committee recommends that SB01-036 be referred favorably to the Committee of the Whole.</p>	35 36 37 38 39 40
<p>INTRODUCTION OF BILLS--FIRST READING</p>		41 42 43
	<p>The following bills were read by title and referred to the committees indicated:</p>	44 45
SB01-127	<p>by Senator Takis--Concerning the protection of local government public deposits in credit unions. Business, Labor, and Finance</p>	46 47 48 49
SB01-128	<p>by Senator Takis; also Representative Clapp--Concerning the licensure of physician assistants. Health, Environment, Children & Families</p>	50 51 52 53
SB01-129	<p>by Senator Thiebaut; also Representative Dean--Concerning the financing of public schools. Education</p>	54 55 56 57
SB01-130	<p>by Senator Evans; also Representative Nunez--Concerning the reclassification of counties for purposes of fixing certain county fees. Government, Veterans and Military Relations, and Transportation</p>	58 59 60 61
SB01-131	<p>by Senator Hanna; also Representative Mitchell--Concerning the regulation of pet animal facilities, and, in connection therewith, clarifying the definition of feline hobby breeder, reducing the time an animal may be held in an animal shelter, and allowing animal shelter supervisors to make determinations with respect to the immediate disposition of animals experiencing extreme pain or suffering. Agriculture and Natural Resources</p>	62 63 64 65 66 67 68
SB01-132	<p>by Senators Arnold, Andrews, Cairns, McElhany and Teck--Concerning election ballots. Government, Veterans and Military Relations, and Transportation</p>	69 70 71 72

SB01-133	by Senators Dyer (Arapahoe) and Hagedorn; also Representative Clapp--Concerning a requirement that toll road operators use a compatible automatic vehicle identification system. Government, Veterans and Military Relations, and Transportation	1 2 3 4 5
SB01-134	by Senator Fitz-Gerald--Concerning an increase in the sales and use tax that a county may levy for the purpose of funding mass transit. Public Policy and Planning	6 7 8 9
SB01-135	by Senator Teck--Concerning compensation of county officers. Government, Veterans and Military Relations, and Transportation	10 11 12
SB01-136	by Senator Gordon--Concerning campaign finance. Judiciary	13 14 15
SB01-137	by Senator Anderson--Concerning the financing of public schools. Education	16 17 18
SB01-138	by Senators Perlmutter, Arnold and Matsunaka; also Representatives Smith, Coleman and Grossman--Concerning the revision of statutes in the Colorado Revised Statutes, as amended, amending or repealing obsolete, inconsistent, and conflicting provisions of law and clarifying the language to reflect the legislative intent of the laws. Judiciary	19 20 21 22 23 24
SB01-139	by Senator Musgrave; also Representative Paschall--Concerning prohibitions on the legal effects within this state of domestic relationships between persons of the same sex. Judiciary	25 26 27 28
SB01-140	by Senator Matsunaka--Concerning small claims court. Judiciary	29 30 31
HB01-1117	by Representative Witwer; also Senator Evans--Concerning the prerequisite that public entities obtain the advice of the sex offender management board prior to taking certain actions related to the provisions of treatment for juvenile sex offenders. Judiciary	32 33 34 35 36

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SR01-008	by Senator Thiebaut--Concerning a change to the appointment of an employee of the Senate of the Sixty-third General Assembly provided in Senate Resolution 01-004 . <i>Be It Resolved by the Senate of the Sixty-third General Assembly of the State of Colorado:</i> That the following change is made to the appointment of employees, as created by Senate Resolution 01-004 for the First Regular Session of the Sixty-third General Assembly. Howard K. Smith is substituted for Norman Settles for the position of Assistant Sergeant-at-arms as follows: Assist. Sergeant-at-Arms: Howard K. Smith Laid over one day under Senate Rule 30(c).	41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56
SJR01-007	by Senator Andrews; also Representative Spradley--Concerning changes in the monthly compensation for specified positions provided in HJR01-1004 . Laid over one day under Senate Rule 30(b).	57 58 59 60 61

Committee of the Whole	On motion of Senator Pascoe the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills. Senator Pascoe was called to the Chair to act as Chairman.	62 63 64 65 66
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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:

Page 100	Senate Journal-Seventeenth Day-January 26, 2001	
SB01-006	by Senators Dennis, Chlouber and Dyer (Durango); also Representatives Larson and Stengel—Concerning the creation of the habitat partnership program, and, in connection therewith, changing the duties of the habitat partnership council, habitat partnership committee, and director of the division of wildlife, and funding the habitat partnership cash fund.	1 2 3 4 5 6
	Laid over until Monday, January 29, retaining its place on the calendar.	7 8
SB01-015	by Senator Teck—Concerning community supervision placement review for persons in phase III of the youthful offender system.	9 10 11
	<u>Amendment No. 1, Judiciary Committee Amendment.</u> (Printed in Senate Journal, January 18, page 50.)	12 13 14
	As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.	15 16 17
SB01-005	by Senator Musgrave; also Representative Sinclair—Concerning a requirement that an applicant for registration of a commercial vehicle declare the status of the commercial vehicle when a vehicle is registered, and, in connection therewith, creating a definition for commercial vehicle.	18 19 20 21 22
	<u>Amendment No. 1, Government, Veterans and Military Relations and Transportation Committee Amendment.</u> (Printed in Senate Journal, January 22, page 67.)	23 24 25 26
	<u>Amendment No. 2, Senator Musgrave.</u>	27 28
	Amend printed bill page 3, before line 1, insert the following:	29 30
	"shall be in writing and signed by the owner of such vehicle or the owner's".	31 32
	<u>Amendment No. 3, Senator Musgrave.</u>	33 34
	Amend printed bill, page 2, line 11, strike "truck", and substitute "truck, OR UNLADEN TRUCK TRACTOR,";	35 36 37
	Line 14, strike "truck" and substitute "truck, UNLADEN TRUCK TRACTOR,".	38 39
	As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.	40 41 42
	(For further action see Amendment to Report of the Committee of the Whole).	43 44
SB01-001	by Senator Hernandez—Concerning privacy protection for the medical records of persons claiming workers' compensation benefits.	45 46 47
	Laid over until Monday, January 29, retaining its place on the Calendar.	48 49 50
AMENDMENT TO THE REPORT OF THE COMMITTEE OF THE WHOLE		51 52
SB01-005	by Senator Musgrave—Concerning a requirement that an applicant for registration of a commercial vehicle declare the status of the commercial vehicle when a vehicle is registered, and, in connection therewith, creating a definition for commercial vehicle.	53 54 55 56
	Senator Tate moved to amend the Report of the Committee of the Whole to show that SB01-005 , as amended, was referred to the Committee on Appropriations.	57 58 59
	A majority of all members elected to the Senate having voted in the affirmative, the amendment was adopted .	60 61 62
ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE		63 64 65
	On motion of Senator Pascoe, 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:	66 67 68 69
	Passed on Second Reading: SB01-015 as amended.	70
	Referred to Committee on Appropriations: SB01-005 as amended.	71
	Laid over till Monday, January 29, 2001: SB01-006, SB01-001.	72

CHANGE TO THE GENERAL ORDERS--SECOND READING OF BILLS--
CONSENT CALENDAR

SB01-044 By Senator Dennis--Concerning the continuation of an augmentation requirement for new withdrawals of groundwater affecting the San Luis valley confined aquifer system.

Upon the request of Senator Evans, **SB01-044** was removed from the January 29, 2001 Consent Calendar and was placed on the General Orders--Second Reading Calendar of Monday, January 29, 2001.

Senate in Recess--Senate Reconvened.

On motion of Senator Windels, the Senate adjourned until 10:00 a.m., Monday, January 29, 2001.

Approved:

Stan Matsunaka
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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