

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

One hundred-fifth Legislative Day

Tuesday, April 24, 2001

Prayer By the chaplain, Captain Judy Yost, Wing Moral Leadership Officer, Colorado Wing Civil Air Patrol.

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

Roll Call Present--Total, 34
Absent/Excused--Musgrave--Total, 1.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Dyer (Arapahoe), reading of the Journal of Monday, April 23, 2001, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Services Correctly printed: SB01-229, 230, 231, 232.

Correctly rerevised: HB01-1371, 1260, 1268.

Correctly revised: HB01-1212, 1378, 1363, 1279, 1289, 1221, 1331, 1307, 1358, 1161, HJR01-1051.

Correctly engrossed: SB01-213, 217, 221, SR01-014, 019.

Correctly enrolled: SB01-080, 202, 203, 212, SR01-012, SJR01-012, 013, 021.

COMMITTEE OF REFERENCE REPORTS

The committees recommend the following:

Business, Labor, and Finance The committee has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed.

**MEMBER OF THE
COLORADO RACING COMMISSION**

for a term expiring July 1, 2004:

Larry Dean Huls of Arvada, Colorado, to serve as a member previously engaged in the racing industry and as an Unaffiliated from the Second Congressional District, appointed.

Business, Labor, and Finance After consideration on the merits, the committee recommends that **SB01-224** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 9, strike "provider" and substitute "provider-sponsored";

line 12, strike "provider" and substitute "provider-sponsored";

line 15, strike "Provider" and substitute "Provider-sponsored".

Page 4, line 10, strike "provider" and substitute "provider-sponsored".

Page 5, line 6, strike "TO OBTAIN" and substitute "OBTAINED";

line 13, strike "PROVIDER" and substitute "PROVIDER-SPONSORED";

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line 14, strike "BASIS, INCLUDING," and substitute "BASIS."

strike lines 15 through 21 and substitute the following:

"(7.5) "EXEMPT CONTRACT" MEANS A CONTRACT EXEMPT FROM REGULATION BY THE COMMISSIONER ENTERED INTO BY A PROVIDER-SPONSORED NETWORK TO PROVIDE HEALTH SERVICES, THAT IS ONE OF THE FOLLOWING:";

line 23, strike "PROVIDER" and substitute "PROVIDER-SPONSORED".

Page 6, line 8, strike "AUTHORIZE" and substitute "AUTHORIZED";

after line 12, insert the following:

"(16.5) (a) "PROVIDER-SPONSORED NETWORK" MEANS AN ORGANIZATION THAT IS:

(I) MAJORITY-OWNED AND CONTROLLED BY ONE OR MORE HEALTH CARE PROVIDERS LICENSED BY THIS STATE AND A SUBSTANTIAL NUMBER OF SUCH LICENSED HEALTH CARE PROVIDERS PARTICIPATE DIRECTLY IN THE FURNISHING OF HEALTH CARE SERVICES; AND

(II) ORGANIZED FOR THE PRIMARY PURPOSE OF PROVIDING HEALTH CARE SERVICES.

(b) PROVIDER-SPONSORED NETWORK SERVICES ARE SUBSTANTIALLY PERFORMED BY CONSTITUENT PROVIDERS DIRECTLY.

SECTION 3. 6-18-304, Colorado Revised Statutes, is amended to read:

6-18-304. Competitive behavior - restraints of trade prohibited. Organization or operation as a provider network OR A PROVIDER-SPONSORED NETWORK is authorized under this article for the purpose of more cost-effective delivery of health care services, and shall not be construed as permitting any such collaborative system or any member of such provider network to act in a concerted way to restrain trade or otherwise engage in practices which are otherwise prohibited by federal or state antitrust law."

Renumber succeeding sections accordingly.

Page 6, line 16, strike "**provider**" and substitute "**provider-sponsored**";

line 18, strike "PROVIDER" and substitute "PROVIDER-SPONSORED";

line 20, strike "PROVIDER" and substitute "PROVIDER-SPONSORED";

line 25, strike "PROVIDER" and substitute "PROVIDER-SPONSORED".

Page 7, line 11, strike "PROVIDER" and substitute "PROVIDER-SPONSORED";

line 15, strike "**6-18-307.**" and substitute "**6-18-306.**";

line 16, strike the first "PROVIDER" and substitute "PROVIDER-SPONSORED" and strike the second "PROVIDER" and substitute "PROVIDER-SPONSORED";

strike lines 22 and 23 and substitute the following:

"amended to read:".

Page 8, strike lines 7 through 17;

line 26, strike "RURAL";

line 27, strike "AREA SHALL" and substitute "COUNTY WITH ONE HUNDRED FIFTY THOUSAND OR FEWER RESIDENTS MAY".

Page 9, line 2, before "SUBJECT", insert "PURSUANT TO SECTION 12-36-106 (1) (g), C.R.S.,";

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strike line 3 and substitute the following:

"BENEFIT PLAN, IF SUCH COUNTY HAS REASONABLE ACCESSIBLE TO BROADBAND CAPABILITIES. ANY HEALTH BENEFITS PROVIDED THROUGH TELEMEDICINE SHALL MEET THE SAME STANDARD OF CARE AS FOR IN-PERSON CARE. NOTHING IN THIS SECTION SHALL ALLOW THE USE OF TELEMEDICINE WHEN IN-PERSON CARE IS AVAILABLE TO A COVERED PERSON WITHIN THE CARRIER'S NETWORK.";

strike lines 6 through 16.

Renumber succeeding sections accordingly.

Page 9, line 17, strike "10-16-704 (1), (2), and (6)," and substitute "10-16-704 (1) and (2),".

Page 10, line 3, strike "TELEMEDICINE;" and substitute "TELEMEDICINE FOR SERVICES THAT MAY APPROPRIATELY BE PROVIDED THROUGH TELEMEDICINE;"

strike lines 19 through 27.

Strike pages 11 through 13.

Page 14, strike lines 1 through 14 and substitute the following:

"(b) (I) A CARRIER OFFERING A PREFERRED PROVIDER OPTION PLAN, THAT IS NOT A HEALTH MAINTENANCE ORGANIZATION OR A HEALTH MAINTENANCE ORGANIZATION WITH A POINT OF SERVICE PLAN, MAY REQUIRE THAT A COVERED PERSON TRAVEL A REASONABLE DISTANCE BEYOND THE REQUIREMENTS OF SUBSECTION (6) OF THIS SECTION FOR CARE WITHIN AN ADEQUATE PROVIDER NETWORK IN ORDER TO RECEIVE SERVICES FROM A PARTICIPATING PROVIDER. THIS PARAGRAPH (b) SHALL ONLY APPLY IF:

(A) THE COVERED PERSON RESIDES IN A COUNTY WITH A POPULATION OF ONE HUNDRED FIFTY THOUSAND RESIDENTS OR FEWER AS BASED ON THE MOST RECENT FEDERAL CENSUS DATA; AND

(B) THE CARRIER DEMONSTRATES IN THE CARRIER'S ACCESS PLAN PURSUANT TO SUBSECTION (9) OF THIS SECTION AND UPON REQUEST BY THE COMMISSIONER, THAT THE CARRIER HAS MADE UNSUCCESSFUL GOOD FAITH EFFORTS TO CONTRACT WITH LOCAL PROVIDERS ON REASONABLE TERMS.

(II) SUBPARAGRAPH (I) OF PARAGRAPH (b) SHALL NOT APPLY TO:

(A) EMERGENCY OR PRIMARY CARE SERVICES OFFERED BY A CARRIER; AND

(B) CASES IN WHICH THE COVERED PERSON IS SO SEVERELY ILL OR IMPAIRED THAT SUCH PERSON IS UNABLE TO MOVE FROM PLACE TO PLACE WITHOUT THE AIDE OF A MECHANICAL DEVICE; HAS A PHYSICAL OR MENTAL CONDITION, VERIFIED BY A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN THIS STATE OR PRACTICING MEDICINE PURSUANT TO SECTION 12-36-106 (3) (i), C.R.S., THAT SUBSTANTIALLY LIMITS THE PERSON'S ABILITY TO MOVE FROM PLACE TO PLACE; OR SUFFERS FROM A PHYSICAL HARDSHIP SUCH THAT TRAVEL WOULD THREATEN THE SAFETY OR WELFARE OF THE COVERED PERSON AS VERIFIED BY THE COVERED PERSON'S IN-NETWORK TREATING PHYSICIAN. DECISIONS IN WHICH A CARRIER CONTESTS THE COVERED PERSON'S ABILITY TO TRAVEL MAY BE APPEALED PURSUANT TO SECTION 10-16-113 OR 10-16-113.5.

(c) (I) IN CASES WHERE, AS A RESULT OF THE PROVISIONS OF SUBPARAGRAPH (I) OF PARAGRAPH (b) OF THIS SUBSECTION (2), A COVERED PERSON IS REQUIRED TO TRAVEL A REASONABLE DISTANCE BEYOND THE REQUIREMENTS OF SUBSECTION (6) OF THIS SECTION FOR AN ADEQUATE NETWORK IN ORDER TO RECEIVE SERVICES FROM A PARTICIPATING PROVIDER, AND THE COVERED PERSON KNOWINGLY SEEKS SERVICES FROM A NONPARTICIPATING PROVIDER, THE CARRIER SHALL DETERMINE THE REIMBURSEMENT RATE TO THE PROVIDER BY APPLYING THE LESSER OF:

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(A) THE NONPARTICIPATING PROVIDER'S BILL CHARGES;

(B) A NEGOTIATED RATE; OR

(C) IN THE ABSENCE OF A NEGOTIATED RATE, THE GREATER OF THE CARRIER'S AVERAGE IN-NETWORK RATE FOR THE RELEVANT GEOGRAPHIC AREA OR THE USUAL, CUSTOMARY, AND REASONABLE RATE FOR SUCH GEOGRAPHIC AREA.

(II) THE CARRIER SHALL DISCLOSE TO THE COVERED PERSON AND THE NONPARTICIPATING PROVIDER WHETHER THE AMOUNT REIMBURSED TO THE NONPARTICIPATING PROVIDER WAS THE NONPARTICIPATING PROVIDER'S BILLED CHARGES, A NEGOTIATED RATE, OR THE GREATER OF THE CARRIER'S AVERAGE IN-NETWORK RATE FOR THE RELEVANT GEOGRAPHIC AREA OR THE USUAL, CUSTOMARY, AND REASONABLE RATE FOR SUCH GEOGRAPHIC AREA.

(III) A NONPARTICIPATING PROVIDER MAY BALANCE BILL THE COVERED PERSON IN THE EVENT THAT THE REIMBURSEMENT RATE DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (c) IS NOT EQUAL TO THE BILLED CHARGES.

(IV) THE COMMISSIONER SHALL PROMULGATE RULES DEFINING THE RELEVANT GEOGRAPHIC AREA FOR THE PURPOSES OF SUB-SUBPARAGRAPH (C) OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (c). IN THE PROMULGATION OF SUCH RULES, THE COMMISSIONER SHALL GROUP TOGETHER COUNTIES WITH SIMILAR DEMOGRAPHIC AND ECONOMIC CHARACTERISTICS. SUCH CHARACTERISTICS SHALL INCLUDE, BUT NOT BE LIMITED TO, AVERAGE PER CAPITA INCOME, THE COST OF HOUSING, GENERAL COST OF LIVING, POVERTY AND UNEMPLOYMENT LEVELS, OR THE PRIMARY ECONOMIC BASE OF THE COUNTY.

(d) THE CARRIER SHALL PROVIDE, IN CONSPICUOUS, BOLD-FACED TYPE, AN UNDERSTANDABLE DISCLOSURE IN POLICY CONTRACT MATERIALS, CERTIFICATES OF COVERAGE FOR A POLICY HOLDER, AND MARKETING MATERIALS ABOUT THE FOLLOWING:

(I) SPECIFIC COUNTIES OF THE STATE WHERE THERE ARE NO PARTICIPATING PROVIDERS;

(II) THE CIRCUMSTANCES UNDER WHICH THE COVERED PERSON MAY BE BALANCED BILLED BY NONPARTICIPATING PROVIDERS; AND

(III) THE MECHANISMS TO OBTAIN THE CARRIER'S REIMBURSEMENT RATES FOR COVERED HEALTH CARE SERVICES.

(e) (I) A CARRIER SHALL MAKE AVAILABLE UPON REQUEST THE CARRIER'S USUAL, CUSTOMARY, AND REASONABLE RATE FOR REIMBURSEMENT FOR HEALTH CARE SERVICES FROM NONPARTICIPATING PROVIDERS.

(II) THE COMMISSIONER MAY, UPON REQUEST, REVIEW THE CARRIER'S USUAL, CUSTOMARY, AND REASONABLE RATE AND THE MECHANISM BY WHICH THE CARRIER ARRIVED AT SUCH RATE.

(III) THE COMMISSIONER MAY ADOPT A STANDARD METHODOLOGY FOR DETERMINING USUAL, CUSTOMARY, AND REASONABLE REIMBURSEMENT RATES. SUCH METHODOLOGY SHALL BE APPLIED IN A UNIFORM MANNER STATEWIDE; EXCEPT THAT GEOGRAPHIC ADJUSTMENTS MAY BE MADE APART FROM THE STANDARD METHODOLOGY.

(f) FOR THE PURPOSES OF THIS SUBSECTION (2):

(I) "BALANCE BILL" MEANS THE AMOUNT THAT A NONPARTICIPATING PROVIDER MAY CHARGE THE COVERED PERSON. SUCH AMOUNT CHARGED EQUALS THE DIFFERENCE BETWEEN THE AMOUNT PAID BY THE CARRIER AND THE AMOUNT OF THE NONPARTICIPATING PROVIDER'S BILL CHARGE.

(II) "NEGOTIATED RATE" MEANS THE RATE MUTUALLY AGREED UPON BETWEEN THE CARRIER AND THE PROVIDER IN A SPECIFIC INSTANCE.

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(III) "USUAL, CUSTOMARY, AND REASONABLE RATE" MEANS A RATE ESTABLISHED PURSUANT TO AN APPROPRIATE METHODOLOGY THAT IS BASED ON GENERALLY ACCEPTED INDUSTRY STANDARDS AND PRACTICES.

(2.5) (a) IN THE EVENT THAT A CARRIER'S NETWORK CHANGES PURSUANT TO PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION, THE CARRIER SHALL PROVIDE NOTICE OF THE CHANGE TO THE COMMISSIONER AT LEAST FIFTEEN DAYS PRIOR TO THE CHANGES. SUCH NOTICE MAY BE MADE BY ELECTRONIC MEANS.

(b) AT LEAST SIXTY DAYS PRIOR TO A CHANGE IN A CARRIER'S NETWORK PURSUANT TO PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION, THE CARRIER SHALL PROVIDE, IN CONSPICUOUS BOLD-FACED TYPE, AN UNDERSTANDABLE DISCLOSURE TO ALL AFFECTED COVERED PERSONS ABOUT THE FOLLOWING:

(I) SPECIFIC CHANGES IN THE NETWORK AREA;

(II) THE CIRCUMSTANCES UNDER WHICH THE COVERED PERSON MAY BE BALANCED BILLED BY NONPARTICIPATING PROVIDERS; AND

(III) THE MECHANISMS TO OBTAIN THE CARRIER'S REIMBURSEMENT RATES FOR COVERED HEALTH CARE SERVICES.

(2.7) (a) NOTHING IN SUBSECTION (2) OR (2.5) OF THIS SECTION SHALL DELAY ACCESS TO HEALTH CARE SERVICES.

(b) NOTHING IN SUBSECTION (2) OR (2.5) OF THIS SECTION SHALL EXEMPT A CARRIER FROM THE REQUIREMENTS OF PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION."

Page 14, line 16, strike "DISTANCE," and substitute "DISTANCES FOR THE PURPOSES OF CREATING ACCESS PLANS PURSUANT TO SUBSECTION (9) OF THIS SECTION,".

Page 15, line 1, after "(2)" insert "OR (2.5)";

line 3, strike "STATE OR THE BOARD OF MEDICAL EXAMINERS," and substitute "STATE,".

Page 16, line 19, strike "OR STATE".

Page 17, strike lines 5 through 10.

Re-number succeeding sections accordingly.

Page 17, line 20, strike "TREATMENT" and substitute "SERVICES".

Page 20, strike lines 25 through 27 and substitute the following:

"SECTION 10. 12-36-106 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

12-36-106. Practice of medicine defined - exemptions from licensing requirements - repeal. (1) For the purpose of this article, "practice of medicine" means:

(g) THE DELIVERY OF TELEMEDICINE THAT MEANS THE DELIVERY OF HEALTH CARE SERVICES AND ANY DIAGNOSIS, CONSULTATION, TREATMENT, TRANSFER OF MEDICAL DATA, OR EDUCATION RELATED TO HEALTH CARE SERVICES USING INTERACTIVE AUDIO, INTERACTIVE VIDEO, OR INTERACTIVE DATA COMMUNICATION."

Re-number succeeding sections accordingly.

Strike page 21.

Page 22, strike lines 1 through 18.

Re-number succeeding sections according.

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Page 22, strike lines 23 through 25 and substitute the following:

"(jj) ANY ACT OR OMISSION IN THE PRACTICE OF TELEMEDICINE THAT FAILS TO MEET GENERALLY ACCEPTED STANDARDS OF MEDICAL PRACTICE."

Page 23, line 7, strike "10-16-102 (43.9)," and substitute "12-36-106 (1) (g),";

line 10, strike "RURAL AREA" and substitute "COUNTY WITH ONE HUNDRED FIFTY THOUSAND RESIDENTS OR LESS";

line 11, strike "SHALL" and substitute "MAY";

line 16, after the period, insert "TELEMEDICINE SERVICES MAY ONLY BE USED IN AREAS OF THE STATE WITH BROADBAND ACCESS AND WHERE SUCH TELEMEDICINE EQUIPMENT IS READILY ACCESSIBLE.";

line 19, strike "CODES" and substitute "CODES, AS AMENDED,".

Page 24, line 8, after the period, add "SUCH REPORT SHALL TAKE INTO ACCOUNT THE AVAILABILITY OF TECHNOLOGY AS OF THE TIME OF THE REPORT TO USE TELEMEDICINE FOR HOME HEALTH CARE, EMERGENCY CARE, AND CRITICAL AND INTENSIVE CARE AND THE AVAILABILITY OF BROADBAND ACCESS WITHIN THE STATE.";

line 23, strike "10-16-102 (43.9)," and substitute "12-36-106 (1) (g),".

Page 25, line 3, strike "10-16-102 (43.9)," and substitute "12-36-106 (1) (g),";

line 17, after "MUNICIPALITY", insert "OR A SPECIAL HEALTH ASSURANCE DISTRICT".

Page 28, line 12, after "(2)", insert "(a)" and strike "8" and substitute "9";

line 14, strike "8" and substitute "9";

after line 15, insert the following:

"(b) Sections 15, 16, 17, 19, and 20 shall take effect upon passage and shall apply to community contracted health care providers providing services for a city, city and county, town, or municipality or special health assurance district formed after said date."

Business,
Labor, and
Finance

After consideration on the merits, the committee recommends that **HB01-1367** be referred favorably to the Committee of the Whole.

Business,
Labor, and
Finance

After consideration on the merits, the committee recommends that **HB01-1100** be referred favorably to the Committee on Appropriations.

Business,
Labor, and
Finance

After consideration on the merits, the committee recommends that **HB01-1090** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, line 12, strike "STOCKHOLDER" and substitute "SHAREHOLDER".

Page 3, strike line 23 and substitute the following:

"PARAGRAPH (a)."

Page 4, line 1, strike "partners" and substitute "partners, MEMBERS,";

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line 2, strike "partners" and substitute "partners', MEMBERS',';

line 3, after "TOTAL", insert "AGGREGATE";

line 14, after "year.", insert "IN THE CASE OF A PARTNERSHIP, S CORPORATION, OR OTHER SIMILAR PASS-THROUGH ENTITY THAT DONATES A CONSERVATION EASEMENT AS AN ENTITY, IF ANY REFUND IS CLAIMED PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), THE AGGREGATE AMOUNT OF THE REFUND AND THE CREDIT CLAIMED BY THE PARTNERS, MEMBERS, OR SHAREHOLDERS OF THE ENTITY SHALL NOT EXCEED THE DOLLAR LIMITATION SET FORTH IN THIS SUBPARAGRAPH (III) FOR THAT INCOME TAX YEAR."

Business,
Labor, and
Finance

After consideration on the merits, the committee recommends that **HB01-1081** be referred favorably to the Committee on Appropriations.

Business,
Labor, and
Finance

After consideration on the merits, the committee recommends that **HB01-1003** be referred favorably to the Committee on Appropriations.

**THIRD READING--FINAL PASSAGE OF BILLS--
CONSENT CALENDAR**

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

HB01-1212

by Representatives Young, Miller and Coleman; also Senators Anderson, Linkhart, Reeves, Taylor and Windels--Concerning the collection of sales taxes, and, in connection therewith, requiring vendors that remit large amounts of sales taxes to the department of revenue to remit the sales taxes through electronic funds transfers.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

HB01-1378

by Representatives Webster, Hoppe, Alexander, Coleman, Hefley, Hodge, Jameson, King, Miller, Plant, Rippey, Schultheis, Snook, Spradley, Tochtrop and White; also Senator Dyer (Durango)--Concerning the authority of the state agricultural commission to prevent the spread of livestock disease in Colorado.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Chlouber, Epps, Matsunaka, Taylor, Teck.

HB01-1363

by Representatives Cloer, Boyd, Clapp, Crane, Mace, Rhodes, Sanchez, Schultheis, Stafford and Tochtrop; also Senators Hernandez, Epps and Hanna--Concerning licensed health care professionals that may verify a person has a physical impairment for the purpose of obtaining disabled parking privileges.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

SB01-213

by Senator Pascoe; also Representative Veiga--Concerning the authorization of the executive director of the department of human services to sell certain real property situated in the city and county of Denver to the Arapahoe library district for library purposes.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

SB01-217

by Senator Thiebaut; also Representative Smith--Concerning a supplemental appropriation of capital construction funds to the department of transportation for the aviation account of the transportation infrastructure revolving fund.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Chlouber, Entz, Fitz-Gerald, Hanna, Hernandez, Matsunaka, Nichol, Taylor, Teck, Tupa.

THIRD READING--FINAL PASSAGE OF BILLS

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

SCR01-002

by Senator Gordon; also Representative Hefley--Concerning the submission to the registered electors of the state of Colorado of an amendment to the constitution of the state of Colorado, exempting district attorneys from constitutional term limits.

SCR01-002 The question being "Shall the resolution pass?", the roll call was taken with the following result:

YES	28	NO	6	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	E	Taylor	Y
Cairns	N	Hagedorn	Y	Nichol	N	Teck	Y
Chlouber	N	Hanna	N	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

A constitutional two-thirds majority of those elected to the Senate having voted in the affirmative, the resolution was declared **passed**.

Co-sponsors added: Anderson, Dyer (Durango), Hernandez, Perlmutter.

HB01-1279 by Representative Vigil; also Senator Anderson--Concerning boiler inspection fees.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsors added: Andrews, Entz, Taylor.

HB01-1289 by Representatives Crane, Fritz, Jahn, King, Lee, Paschall, Rippey, Schultheis, Spence, and Witwer; also Senator Hanna--Concerning child care services to which the "Child Care Licensing Act" does not apply.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsor added: Epps.

HB01-1221 by Representative White; also Senator Takis--Concerning theft detection devices.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

HB01-1221 A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**. 1
2

Co-sponsor added: Epps. 3
4

HB01-1331 by Representatives Saliman and Young; also Senators Owen, Reeves and Tate-- 5
Concerning administration of the children's basic health care plan, and, in connection 6
therewith, placing the rule-making authority with the medical services board and placing 7
the administrative oversight with the department of health care policy and financing and 8
authorizing and studying several administrative changes. 9
10

Laid over until April 25, 2001, retaining its place on the calendar. 11
12

HB01-1307 by Representative Berry; also Senator Reeves--Concerning the computerized election 13
system maintained by the state, and making an appropriation therefor. 14
15

The question being "Shall the bill pass?", the roll call was taken with the following result: 16
17

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill 18
was declared **passed**. 19
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Co-sponsor added: Hanna, Nichol, Takis, Taylor. 21
22
23

HB01-1358 by Representative Sinclair; also Senator Thiebaut--Concerning the financing of the offices 24
of public trustees. 25
26

A majority of those elected to the Senate having voted in the affirmative, Senator Thiebaut 27
was given permission to offer a Third Reading Amendment. 28
29

Third Reading Amendment(L.002), by Senator Thiebaut. 30
31

Amend revised bill, page 4, line 19, after "Bent,", insert "CITY AND 32
COUNTY OF BROOMFIELD,". 33
34

A majority of those elected to the Senate having voted in the affirmative, the amendment 35
was declared **adopted**. 36
37

The question being "Shall the bill, as amended, pass?", the roll call was taken with the 38
following result: 39
40

YES	30	NO	4	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	May	N	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	N	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as 41
amended, was declared **passed**. 42
43

Co-sponsors added: Chlouber. 44
45

HB01-1161 by Representatives Mace, Coleman, Sanchez, Tochtrop and Williams S.; also Senator 46
Hernandez--Concerning eligibility requirements for children's access to health care. 47
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Laid over until Wednesday, April 25, 2001, retaining its place on the calendar. 49
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SB01-221

by Senators Epps, Anderson, Andrews, Arnold, Chlouber, Dyer (Durango), Dyer (Arapahoe), Entz, Evans, Hagedorn, Hernandez, Hillman, Lamborn, Linkhart, Matsunaka, May, McElhany, Musgrave, Nichol, Owen, Perlmutter, Reeves, Takis, Taylor and Teck; also Representative Clapp--Concerning persons who are affiliates of child care facility licensees.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	E	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	Y	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

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

Co-sponsor added: Windels.

Committee of the Whole

On motion of Senator Reeves, the Senate resolved itself into Committee of the Whole for consideration of General Orders--Second Reading of Bills. Senator Reeves 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:

HB01-1131

by Representatives Spence, Alexander, Cadman, Clapp, Coleman, Dean, Decker, Fritz, Hefley, Johnson, Kester, King, Larson, Marshall, Mitchell, Nunez, Rippy, Tochtrop, Weddig, White, Williams S., Williams T. and Witwer; also Senator Anderson--Concerning changes to the terminology describing information on school performance, and, in connection therewith, changing the name of school report cards to school accountability reports, replacing letter grades with descriptive measurements, and applying the same descriptive measurements for school improvement to all schools.

Laid over until Wednesday, April 25, 2001, retaining its place on the calendar.

HB01-1189

by Representatives Daniel, Boyd, Crane, Hefley, Jahn, Veiga and Williams S.; also Senator Windels--Concerning forfeiture provisions in agreements affecting persons in facilities providing residential care.

Laid over until Friday, April 27, 2001, retaining its place on the calendar.

HB01-1366

by Representative Fritz and Stengel; also Senator Phillips--Concerning the adjustment of the ratio of valuation for assessment for residential real property.

Laid over until Wednesday, April 25, 2001, retaining its place on the calendar.

SB01-219

by Senator Hernandez; also Representative White--Concerning restrictions on bail bonding agents.

Amendment No 2(L.005), by Senator Hernandez.

Amend the Judiciary committee amendment, as printed in Senate Journal, April 19, page 901, strike lines 34 through 36 and substitute the following:

"Page 2, strike lines 10 through 23 and substitute the following:

"(b) FOR PURPOSES OF THIS PARAGRAPH (b), "RESIDENT" MEANS A PERSON WHOSE DOMICILE, AS DEFINED IN SECTION 23-7-102 (2), C.R.S., HAS BEEN IN THIS STATE FOR SIX CONSECUTIVE MONTHS OR MORE IMMEDIATELY PRECEDING ANY ATTEMPT TO BECOME A QUALIFIED BAIL BONDING AGENT.";

SB01-219

line 38 of the committee amendment, strike the quotation mark.

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

SB01-081

by Senator Phillips; also Representative Kester--Concerning local financing of school capital construction projects.

Laid over until Wednesday, April 25, 2001, retaining its place on the calendar.

SB01-067

by Senator Dyer (Arapahoe), Dyer (Durango); also Representative Stafford--Concerning state-funded scholarships based upon merit for members of the Colorado national guard.

Laid over until Wednesday, April 25, 2001, retaining its place on the calendar.

SCR01-004

by Senator Gordon--Concerning the submission to the registered electors of the state of Colorado of an amendment to section 4 of article V of the constitution of the state of Colorado, lowering the age at which a person is qualified to serve as a member of the house of representatives from twenty-five to twenty-one years.

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

SB01-216

by Senators Entz, Dyer (Durango) and Hanna; also Representatives Spradley, Plant, Sinclair and Young--Concerning the establishment of a procedure for the adjudication of a recreational in-channel diversion by a local government, and making an appropriation therefor.

Amendment No. 1, Public Policy and Planning Committee Amendment.
(Printed in Senate Journal, April 20, 2001, pages 923-925.)

Amendment No. 2, by Senator Entz.

Amend the committee amendment as printed in Senate Journal, April 20, page 923, line 69, strike ""(a)"" and substitute ""(a) (I)"".

Page 924, strike line 4 and substitute the following:

""(II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JULY 1, 2003.

(b) (I) "BENEFICIAL USE" IS THE USE OF THAT AMOUNT OF WATER THAT IS REASONABLE AND APPROPRIATE UNDER REASONABLY EFFICIENT PRACTICES TO ACCOMPLISH WITHOUT WASTE THE PURPOSE FOR WHICH THE APPROPRIATION IS LAWFULLY MADE AND, WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, INCLUDES THE IMPOUNDMENT OF WATER FOR RECREATIONAL PURPOSES, INCLUDING FISHERY OR WILDLIFE. FOR THE BENEFIT AND ENJOYMENT OF PRESENT AND FUTURE GENERATIONS, "BENEFICIAL USE" SHALL ALSO INCLUDE THE APPROPRIATION BY THE STATE OF COLORADO IN THE MANNER PRESCRIBED BY LAW OF SUCH MINIMUM FLOWS BETWEEN SPECIFIC POINTS OR LEVELS FOR AND ON NATURAL STREAMS AND LAKES AS ARE REQUIRED TO PRESERVE THE NATURAL ENVIRONMENT TO A REASONABLE DEGREE.

(II) THIS PARAGRAPH (b) IS EFFECTIVE JULY 1, 2003."";

strike line 17 and substitute the following:

""(II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JULY 1, 2003.

(b) (I) "DIVERSION" OR "DIVERT" MEANS REMOVING WATER FROM ITS NATURAL COURSE OR LOCATION, OR CONTROLLING WATER IN ITS NATURAL COURSE OR LOCATION, BY MEANS OF A DITCH, CANAL, FLUME, RESERVOIR, BYPASS, PIPELINE, CONDUIT, WELL, PUMP, OR OTHER STRUCTURE OR DEVICE.

(II) THIS PARAGRAPH (b) IS EFFECTIVE JULY 1, 2003."";

As amended, referred to the Committee on Appropriations.

(For further action, see Amendments to the Committee of the Whole Report.)

HB01-1223

by Representatives Lee, Miller, Fritz, Johnson and Spence; also Senators Hernandez, Phillips, Dyer (Durango), Epps, Hillman and Teck--Concerning the exemption of bingo equipment from sales and use taxes.

Laid over until Wednesday, April 25, 2001, retaining its place on the calendar.

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HB01-1312

by Representatives Grossman and Scott; also Senator Andrews--Concerning the conformance of the state penalty for failure to pay estimated income taxes owed to the federal penalty for failure to pay such taxes.

Amendment No. 1, Business, Labor and Finance Committee Amendment.
(Printed in Senate Journal, April 10, 2001, pages 800-801.)

Amendment No. 2(L.006), by Senator Andrews.

Amend reengrossed bill, page 9, strike lines 20 through 24 and substitute the following:

"(I) (A) THE TAX IMPOSED UNDER THIS ARTICLE; MINUS"

(B) THE CREDITS AGAINST TAX PROVIDED BY THIS ARTICLE. FOR PURPOSES";

line 27, strike "REVENUE." and substitute "REVENUE; AND"

after line 27, insert the following:

"(II) (A) THE TAX IMPOSED UNDER ARTICLE 29 OF THIS TITLE; MINUS

(B) THE CREDITS AGAINST TAX PROVIDED BY ARTICLE 29 OF THIS TITLE OTHER THAN THE CREDIT AGAINST TAX FOR WITHHOLDING PROVIDED PURSUANT TO SECTION 39-29-111. FOR PURPOSES OF THIS SECTION, CREDITS INCLUDE ALL CREDITS WITHOUT REGARD TO WHETHER THEY ARE PREPAYMENT CREDITS."

Page 11, line 5, after "INSTALLMENTS", insert "FOR THE TAX IMPOSED UNDER THIS ARTICLE AND FOR THE TAX IMPOSED UNDER ARTICLE 29 OF THIS TITLE";

line 6, strike "PAYMENT." and substitute "PAYMENT FOR EACH SUCH TAX."

Page 12, line 12, after "(a)", insert "(I)";

line 13, after "TAX", insert "IMPOSED UNDER PART 3 OF THIS ARTICLE";

line 14, after "TAX,", insert "IS LESS";

strike line 15;

after line 16, insert the following:

"(II) NO ADDITION TO TAX SHALL BE IMPOSED UNDER SUBSECTION (3) OF THIS SECTION FOR ANY TAXABLE YEAR IF THE TAX IMPOSED UNDER ARTICLE 29 OF THIS TITLE SHOWN ON THE RETURN FOR SUCH TAXABLE YEAR, OR IF NO RETURN IS FILED, THE TAX, REDUCED BY THE CREDIT ALLOWABLE UNDER SECTION 39-29-111, IS LESS THAN FIVE THOUSAND DOLLARS."

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

HB01-1153

by Representatives Williams T., Kester, Spradley, White, Clapp, Coleman, Fairbank, Fritz, Jahn, Lee, Miller, Paschall, Rhodes, Stengel and Tochtrop; also Senators Phillips, Fitz-Gerald, Takis, McElhany and Taylor--Concerning the authority of interior designers that meet certain qualifications to prepare interior design documents for filing for purposes of obtaining building permits.

Laid over until Wednesday, April 25, 2001, retaining its place on the calendar.

HB01-1359

by Representatives Mitchell and Grossman; also Senators Matsunaka and Andrews--Concerning public access to information, and, in connection therewith, providing for public access to information discussed in certain meetings of public bodies and providing remedies and penalties for violations of the open meetings law and the open records act.

Amendment No. 1, Government, Veterans and Military Affairs and Transportation Committee Amendment.
(Printed in Senate Journal, April 19, 2001, pages 899-900.)

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HB01-1359 As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

(For further action, see Amendments to the Committee of the Whole Report.)

HB01-1156 by Representatives Lawrence, Snook, Weddig, Chavez, Hefley, Stengel, Tochtrop, White, and Witwer; also Senator Hernandez--Concerning mandatory insurance coverage for medical foods for persons with inherited metabolic disorders.

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

AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT

SB01-216 by Senators Entz, Dyer (Durango) and Hanna; also Representatives Spradley, Plant, Sinclair and Young--Concerning the establishment of a procedure for the adjudication of a recreational in-channel diversion by a local government, and making an appropriation therefor.

Senator Entz moved to amend the Report of the Committee of the Whole to show that **SB01-216**, as amended, was laid over to Wednesday, April 25, 2001.

More than a majority of those elected to the Senate having voted in the affirmative, the amendment was declared **adopted**.

HB01-1359 by Representatives Mitchell and Grossman; also Senators Matsunaka and Andrews--Concerning public access to information, and, in connection therewith, providing for public access to information discussed in certain meetings of public bodies and providing remedies and penalties for violations of the open meetings law and the open records act.

Senator Thiebaut moved to amend the Report of the Committee of the Whole to show that **HB01-1359**, as amended was laid over to Wednesday, April 25, 2001.

More than a majority of those elected to the Senate having voted in the affirmative, the amendment was declared **adopted**.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Reeves, 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:

Passed on Second Reading: **SB01-219** as amended, **SCR01-004**, **HB01-1312** as amended, **HB01-1156**.

Laid over until Wednesday, April 25, 2001: **HB01-1131**, **HB01-1366**, **SB01-081**, **SB01-067**, **SB01-216** as amended, **HB01-1223**, **HB01-1153**, **HB01-1359** as amended.

Laid over until Friday, April 27, 2001: **HB01-1189**.

COMMITTEE OF REFERENCE REPORTS

The committee recommends the following:

Judiciary After consideration on the merits, the committee recommends that **HB01-1184** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation:

Amend reengrossed bill, page 7, line 27, strike "26-2-708 (5.5)," and substitute "26-2-708 (5.5) IF SUFFICIENT FUNDS ARE AVAILABLE,".

Page 8, strike lines 15 through 27.

Page 9, strike lines 1 through 3.

Renumber succeeding section accordingly.

Page 1, strike lines 101 and 102 and substitute "CONCERNING DOMESTIC VIOLENCE.".

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Judiciary After consideration on the merits, the committee recommends that **SB01-225** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, after line 10, insert the following:

"(6) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PERMIT ANY TRANSFER OF A HANDGUN THAT IS PROHIBITED PURSUANT TO THE FEDERAL "GUN CONTROL ACT OF 1968", AS AMENDED."

Judiciary After consideration on the merits, the committee recommends that **HB01-1193** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 8, after line 26, insert the following:

"(D) THE STATE SHALL INVESTIGATE THE FEASIBILITY OF PLACING A DETENTION FACILITY FOR REPEAT JUVENILE ARSONISTS IN SENATE DISTRICT 2."

Page 12, strike lines 20 through 27.

Renumber succeeding sections accordingly.

Judiciary After consideration on the merits, the committee recommends that **HB01-1102** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 4, after line 24, add the following:

"**SECTION 5. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: **SB01-212.**

SENATE SERVICES REPORT

Senate Services To the Governor for signature on Monday, April 23, 2001, at 2:37 pm: SB 01-212.

INTRODUCTION OF BILLS--FIRST READING

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

HB01-1368 by Representatives Schultheis, Nunez, Alexander, Cadman, Clapp, Cloer, Crane, Dean, Fritz, Hefley, Lee, Mitchell, Paschall, Rhodes, Smith and Snook; also Senator Cairns-- Concerning the modification of the elected boards that oversee state education to reflect the addition of a seventh congressional district in Colorado.
Government, Veterans and Military Relations, and Transportation

HB01-1381 by Representatives Grossman, Miller, Scott, Smith and Veiga; also Senator Hagedorn-- Concerning utility cost-savings measures that may be financed by governmental agencies.
Government, Veterans and Military Relations, and Transportation

HB01-1383 by Representatives Tapia and Larson; also Senator McElhany--Concerning the simplification of regulatory treatment by the public utilities commission for small privately owned water companies.
Agriculture and Natural Resources

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, April 24, 2001, was laid over until Wednesday, April 25, 2001, retaining its place on the calendar.

Consideration of Resolutions: **SJR01-010, SJR01-023, SJR01-024, SJR01-026,**

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SJR01-018, SJR01-022, SJR01-029, SJR01-030, SR01-017, SR01-018, SJR01-031, SJR01-032, SR01-020, HJR01-1042. 1
 Consideration of Memorials: **SM01-001, HJM01-1001, SJM01-002, SJM01-003.** 2
 Consideration of House Amendments to Senate Bills: **SB01-205, SB01-016.** 3
 Consideration of House Adherence: **HJR01-1010.** 4
 Consideration of Governors Appointments 5
 Colorado Tourism Office 6
 State Housing Board 7
 Board of Directors of the Colorado Compensation Insurance Authority 8
 Securities Board 9
 Special Funds Board for Workers' Compensation Self Insurers 10
 Wildlife Commission 11
 Board of Assessment Appeals 12
 State Agricultural Commission 13
 Colorado Water Conservation Board 14
 Air Quality Control Commission 15
 Private Occupational School Board 16
 Consideration of Conference Committee Reports: **HB01-1250, HB01-1124, HB01-1187, HB01-1034, HB01-1292.** 17
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TRIBUTES--A POINT OF INTEREST

Honoring The Legislative Club at High Plains Elementary School
 by Senator Andrews 21
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 Honoring Matt Heitland by Senators Phillips and Matsunaka 27
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 Honoring Mike Thomson by Senators Phillips and Matsunaka 29
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 Honoring Genoveva McCaig by Senators Phillips and Matsunaka 31
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 Honoring NEWSED CDC by Senator Linkhart 33
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 Honoring Andrew Dines by Senator Evans 35
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 Honoring Cassandra Showell by Senator Evans 37
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 Honoring Gina Schiel by Senator Evans 39
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 Honoring Jonathan Martin by Senator Evans 41
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 Honoring Ryan Gardner by Senator Evans 43
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 Honoring Chris Sivavajchaipong by Senator Evans 45
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 Honoring Andrew Pidgeon by Senator Evans 47
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On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., Wednesday, April 25, 2001. 49
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Approved: 52
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Stan Matsunaka 54
 President of the Senate 55
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Attest: 59
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Karen Goldman 61
 Secretary of the Senate 62
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