

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

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Ninety-ninth Legislative Day

Wednesday, April 18, 2001

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Prayer By the chaplain, Rabbi Sandra Cohen, Temple Micah.

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

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

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Cairns, reading of the Journal of Tuesday, April 17, 2001, was dispensed with and the Journal was approved as corrected by the Secretary.

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**SENATE SERVICES REPORT**

Senate Services Correctly rerevised: HB01-1014, 1370.

Correctly reengrossed: SB01-041, 075, 163, 032, 069, 072, 057, 096, 014.

Correctly engrossed: SJR01-028, SB01-206, 098, 122, 063, 089, 154, 164.

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**COMMITTEE OF REFERENCE REPORTS**

The committees recommend the following:

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB01-1366** be referred favorably to the Committee of the Whole.

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB01-1320** be postponed indefinitely.

Education The committee has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed.

**MEMBERS OF THE  
TEACHER DEVELOPMENT ADVISORY COUNCIL**

for terms expiring July 1, 2002:

Libby Hiza of Ordway, Colorado, to serve as a member with expertise in instructional strategies and techniques, appointed;

Judy P. Weaver of Pueblo, Colorado, to serve as a member of a school district board of education who is a leader in education reform and can demonstrate improvement in student achievement in the school district, appointed;

for a term expiring July 1, 2004:

Francis E. Salazar of Pueblo, Colorado, to serve as a principal who is a leader in education reform from a school in a rural area of that state that demonstrated improvements in student achievement.

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Education

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

MEMBERS OF THE  
COLORADO STUDENT OBLIGATION BOND  
AUTHORITY BOARD OF DIRECTORS

for terms expiring July 31, 2002:

Robert W. Gair of Golden, Colorado, to serve as a Democrat, reappointed;

Andrea L. Aragon of Pueblo, to serve as a Republican, appointed;

for terms expiring July 31, 2003:

Steven J. Schwartz of Durango, Colorado, to serve as an Unaffiliated, appointed;

Brett Alan Siegel of Englewood, Colorado, to serve as an Unaffiliated, appointed.

for terms expiring July 31, 2004:

T.R. Rice of Englewood, Colorado, to serve as a Republican, appointed;

Douglas S. Sparks of Denver, Colorado, to serve as a Republican, reappointed;

Knute S. Knudson of Grand Junction, Colorado, to serve as a Republican, appointed.

Education

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

MEMBERS OF THE  
PRIVATE OCCUPATIONAL SCHOOL BOARD

for terms expiring July 1, 2004:

Thomas J. Twardowski of Colorado Springs, Colorado, to serve as an owner or operator of a private occupational school that receives funding under Title IV and as a Republican, reappointed;

Joseph R. Chalupa of Elizabeth, Colorado, to serve as an owner or operator of a private occupational school that receives funding under Title IV and as a Republican, reappointed.

**MESSAGE FROM THE HOUSE**

April 17, 2001

Mr. President:

In response to the request of the Senate, the Speaker has appointed Representatives Young, chairman, Berry, and Saliman as House conferees on the First Conference Committee on SB01-212.

April 18, 2001

Mr. President:

The House has adopted and transmits herewith HJR01-1032, as printed in House Journal, April 18.

**MESSAGE FROM THE REVISOR**

We herewith transmit:

without comment, HB01-1373; and

without comment, as amended, HB01-1130, 1282, 1106, 1155, 1081, 1086, 1205, 1234,

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1271, 1334, 1269, 1022, 1157, 1263, 1298, 1102, 1184, 1195, 1344, 1353, 1365, and 1372 and SB01-077; and with comment, as amended, HB01-1374.

**INTRODUCTION OF BILLS--FIRST READING**

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

**SB01-224** by Senator Hagedorn; also Representative Spradley--Concerning the enhancement of health care services for rural areas of Colorado, and, in connection therewith, enhancing flexibility for network adequacy, enhancing provider service networks, creating community contracted health care providers, expanding the use of telemedicine, and creating an interim committee to study health care issues.  
Business, Labor, and Finance

**INTRODUCTION OF RESOLUTIONS**

The following resolution was read by title:

**HJR01-1032** by Representative Dean; also Senator Matsunaka--Concerning Colorado's support for the move of the Boeing Company's world headquarters to Colorado.

Laid over one day under Senate Rule 30(e).

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolution **SJR01-027**.

**CONSIDERATION OF RESOLUTIONS**

**SJR01-027** by Senator Thiebaut; also Representative Tapia--Concerning the class 4A boys state basketball champions and honoring their accomplishment.

On motion of Senator Thiebaut, the resolution was read at length and adopted by the following roll call vote.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	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		

Co-sponsors added: The present roll call of the Senate.

**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.

**SB01-206** by Senator Hernandez--Concerning recommendations of the senate committee on health, environment, children and families relating to the continuation of requirements for certain reports to the general assembly from executive agencies under article 6.5 of title 25 to article 15 of title 27, Colorado Revised Statutes, and, in connection therewith, repealing reporting requirements to the general assembly that are obsolete.

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

**SB01-206**

YES	34	NO	1	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	N
Arnold	Y	Gordon	Y	Musgrave	Y	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**.

**SB01-098**

by Senators Pascoe, Thiebaut and Matsunaka; also Representative King--Concerning school improvement.

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

YES	18	NO	17	EXCUSED	0	ABSENT	0
Anderson	N	Evans	N	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	N	Gordon	Y	Musgrave	N	Taylor	N
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	N
Chlouber	N	Hanna	Y	Owen	N	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	N	Hillman	N	Perlmutter	Y	Windels	Y
Entz.	N	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	N	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: Fitz-Gerald, Hagedorn, Hanna, Hernandez, Linkhart, Matsunaka, Perlmutter, Thiebaut, Tupa, Windels.

**SB01-122**

by Senator Matsunaka; also Representative Jameson--Concerning the creation of a state performance-based budgeting pilot program.

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

YES	19	NO	16	EXCUSED	0	ABSENT	0
Anderson	N	Evans	N	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	N	Gordon	Y	Musgrave	N	Taylor	N
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	N	Hanna	Y	Owen	N	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	N	Hillman	N	Perlmutter	Y	Windels	Y
Entz.	N	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	N	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: Hagedorn, Hernandez, Nichol, Perlmutter, Takis.

**SB01-063**

by Senator Hagedorn; also Representative Stafford--Concerning the creation of the breast and cervical cancer prevention and treatment program, and making an appropriation therefor.

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

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**SB01-063**

YES	30	NO	5	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	N	Taylor	Y
Cairns	N	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	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 was declared **passed**.

Co-sponsors added: Chlouber, Dyer (Arapahoe), Entz, Epps, Fitz-Gerald, Gordon, Hanna, Hernandez, Linkhart, Matsunaka, Nichol, Pascoe, Phillips, Takis, Teck, Thiebaut, Tupa, Windels.

**SB01-089**

by Senators Tupa, Fitz-Gerald, Hernandez and Windels; also Representatives Williams S., and Bacon--Concerning class sizes in kindergarten through twelfth grade public schools.

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

YES	21	NO	14	EXCUSED	0	ABSENT	0
Anderson	N	Evans	N	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	N	Gordon	Y	Musgrave	N	Taylor	Y
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	N	Hanna	Y	Owen	N	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	N	Hillman	N	Perlmutter	Y	Windels	Y
Entz.	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	N	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: Hernandez, Pascoe, Tate, Thiebaut.

**SB01-154**

by Senators Linkhart and Tate; also Representative Veiga--Concerning the expansion of employment nondiscrimination protections.

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

YES	18	NO	17	EXCUSED	0	ABSENT	0
Anderson	N	Evans	N	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	N	Gordon	Y	Musgrave	N	Taylor	N
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	N
Chlouber	N	Hanna	Y	Owen	N	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	N	Hillman	N	Perlmutter	Y	Windels	Y
Entz.	N	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	N	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: Hernandez, Pascoe, Phillips, Takis, Thiebaut, Tupa, Windels.

**SB01-164**

by Senator Hanna; also Representative Lawrence--Concerning the creation of a loan repayment program as an incentive to dental professionals to provide dental services to underserved populations, and making an appropriation therefor.

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

Third Reading Amendment(L.002), by Senator Hanna.

Amend engrossed bill, page 10, line 21, after "(\$200,000),", insert "and".

**SB01-164**

Page 11, line 25, strike "(2)" and substitute "(3)".

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

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

YES	26	NO	9	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	N	Gordon	Y	Musgrave	N	Taylor	Y
Cairns	N	Hagedorn	Y	Nichol	Y	Teck	N
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dyer, E.	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, F.	N	Hillman	Y	Perlmutter	Y	Windels	Y
Entz.	Y	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 was declared **passed**.

Co-sponsors added: Chlouber, Fitz-Gerald, Gordon, Hernandez, Matsunaka, Nichol, Owen, Takis, Taylor, Thiebaut, Tupa, Windels.

**INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

**HJR01-1025** by Representatives Borodkin, Grossman, Plant, Romanoff, Saliman and Dean; also Senators Gordon and Perlmutter--Concerning the proclamation of Holocaust Awareness Week.

Senator Gordon moved to suspend Senate Rule 30(e) for immediate consideration of **HJR01-1025**.

A majority of those elected to the Senate having voted in the affirmative, immediate consideration was granted.

On motion of Senator Gordon, the resolution was read at length and adopted by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	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		

Co-sponsors added: The present roll call of the Senate.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of General Orders--Second Reading of Bill Consent Calendar. The General Orders--Second Reading of Bills Consent Calendar (**SB01-213**) was laid over until Monday, April 23, 2001, retaining its place on the Calendar.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Memorial **SJM01-001**.

**CONSIDERATION OF MEMORIALS**

**SJM01-001** by Senators Taylor, Chlouber, Dyer (Durango), Hillman, Matsunaka, Musgrave, Perlmutter, Teck and Thiebaut; also Representatives Rippy, White, Alexander, Berry,

**SJM01-001** Dean, Kester, Larson, Miller, Smith, Snook and Young--Concerning funding to support air service throughout Colorado.

Amendment No. 1, Government, Veterans and Military Relations, and Transportation Committee Amendment.

(Printed in Senate Journal, April 12, 2001, page 812.)

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

Amendment No. 2(L.001), by Senator Taylor.

Amend printed joint memorial, page 2, strike line 8 and substitute "of Aspen, Alamosa, Colorado Springs, Cortez, Denver, Durango, Grand Junction, Gunnison, Hayden / Steamboat Springs, Lamar, Montrose, and Pueblo; and".

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

On motion of Senator Taylor the memorial, as amended, was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	Y	Takis	Y
Andrews	Y	Fitz-Gerald	Y	McElhany	Y	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	Y	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		

Co-sponsors added: The present roll call of the Senate.

**APPOINTMENTS TO CONFERENCE COMMITTEE**

The President appointed Senators Reeves, Chairman, Phillips and Entz as Senate Conferees on the First Conference Committee on **SB01-144**.

The President appointed Senators Thiebaut, Chairman, Tupa and Entz as Senate Conferees on the First Conference Committee on **HB01-1274**.

**INTRODUCTION OF BILLS--FIRST READING**

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

**HB01-1022** by Representative Tochtrop; also Senator Linkhart--Concerning transitional medicaid. Health, Environment, Children & Families

**HB01-1081** by Representatives King and Tapia; also Senators Reeves and Hagedorn--Concerning the state sales and use tax on tangible personal property used for research and development, and, in connection therewith, creating a refund of state sales and use tax paid in connection with the sale, purchase, storage, use, or consumption of tangible personal property used for research and development in years in which the state has excess revenues pursuant to section (20) (7) (a) of article X of the state constitution. Business, Labor, and Finance Appropriations

**HB01-1086** by Representatives Alexander, Coleman, Hodge, Johnson, Snook and Webster; also Senator Dyer (Durango)--Concerning the creation of the agriculture value-added development fund program, and making an appropriation in connection therewith. Agriculture and Natural Resources Appropriations

**HB01-1102** by Representative Veiga; also Senator Perlmutter--Concerning the juvenile parole board, and making an appropriation in connection therewith. Judiciary

<b>HB01-1106</b>	by Representative Madden; also Senator Windels--Concerning the recycling of cathode ray tube products, and, in connection therewith, creating a cathode ray tube recycling pilot program, and making an appropriation. Business, Labor, and Finance	1 2 3 4 5
<b>HB01-1130</b>	by Representative Grossman; also Senator Lamborn--Concerning DNA testing of felons sentenced to the department of corrections, and making an appropriation therefor. Judiciary	6 7 8 9
<b>HB01-1155</b>	by Representatives Stengel, Fairbank, Lawrence, Lee, Mitchell, Stafford, White, Williams S. and Young; also Senator Hagedorn--Concerning the availability of information concerning sexual offenders, and making an appropriation in connection therewith. Judiciary	10 11 12 13 14
<b>HB01-1157</b>	by Representatives Crane, Fritz, Hefley, King, Nunez, Paschall, Rhodes, Schultheis, Snook, Spence, Witwer; also Senator Cairns--Concerning reading assessments for students, and making an appropriation therefor. Education	15 16 17 18
<b>HB01-1184</b>	by Representative Veiga; also Senator Perlmutter--Concerning domestic violence, and making an appropriation therefor. Judiciary	19 20 21 22 23
<b>HB01-1195</b>	by Representative Smith; also Senator Hagedorn--Concerning procedures to resolve conflicts arising from local government decisions relating to public utilities that provide energy for consumption, and making an appropriation therefor. Business, Labor, and Finance	24 25 26 27 28
<b>HB01-1205</b>	by Representatives Kester, Alexander, Fairbank, Hefley, Hoppe, Johnson, Lee, Rippy, Smith, Snook, Spence, Stengel, Webster, White, Young; also Senator Entz--Concerning continuation of provisions requiring community corrections escapees to forfeit earned reductions in sentence time, and making an appropriation therefor. Judiciary	29 30 31 32 33 34
<b>HB01-1234</b>	by Representative Boyd; also Senator Linkhart--Concerning interviews with participants of the Colorado works program. Health, Environment, Children & Families	35 36 37 38
<b>HB01-1263</b>	by Representative King, Crane and Lee; also Senator Teck--Concerning state institutions of higher education degree requirements. Education	39 40 41 42
<b>HB01-1269</b>	by Representative Chavez; also Senator Epps--Concerning punishment of criminal gang activities, and making an appropriation in connection therewith. Judiciary Appropriations	43 44 45 46 47
<b>HB01-1271</b>	by Representative Ragsdale; also Senator Owen--Concerning employment incentives for people with disabilities through a medicaid buy-in program. Health, Environment, Children & Families	48 49 50 51
<b>HB01-1282</b>	by Representatives Tapia, Alexander, Chavez, Coleman, Grossman, Hefley, Jahn, Lawrence, Madden, Saliman, Sanchez, Sinclair, Veiga and Vigil; also Senator Owen--Concerning the provision of dental hygiene services for children in the medicaid program, and making an appropriation in connection therewith. Health, Environment, Children & Families	52 53 54 55 56 57
<b>HB01-1298</b>	by Representative Berry; also Senator Tate--Concerning creation of a statewide common course numbering system for the transfer of course credits among state-supported institutions of higher education. Education Appropriations	58 59 60 61 62 63
<b>HB01-1334</b>	by Representative Romanoff; also Senator Tate--Concerning the exemption of property used for low-income household residential facilities that are occupied by low-income households from property tax. Business, Labor, and Finance Appropriations	64 65 66 67 68 69
<b>HB01-1344</b>	by Representative Rhodes; also Senator Arnold--Concerning the limitation for commencing criminal proceedings, and making an appropriation therefor. Judiciary	70 71 72



- HB01-1365** by Representatives Dean, Hefley, Borodkin, Coleman, Mace, Spence, Tapia and Williams S.; also Senators Matsunaka and Anderson--Concerning the creation of the science and technology education center grant program, and making an appropriation therefor.  
Education  
Appropriations
- HB01-1372** by Representative Spradley; also Senator Chlouber--Concerning real property in Fremont county used by the special operations response team of the department of corrections, and making an appropriation in connection therewith.  
Government, Veterans and Military Relations, and Transportation  
Appropriations
- HB01-1373** by Representatives Larson, Paschall, Borodkin, Fairbank, Jameson, Kester, Marshall, Miller, Rhodes, Webster, White and Williams T.; also Senators Taylor and Dyer (Durango)--Concerning the creation of the division of oil and public safety in the department of labor and employment, and, in connection therewith, eliminating the office of state inspector of oils.  
Business, Labor, and Finance
- HB01-1374** by Representative Spradley; also Senator Anderson--Concerning measures to increase the availability of health insurance, and, in connection therewith, allowing adjustments for premiums for business groups of one, changing network adequacy requirements, and relaxing restrictions on discontinuing particular insurance products to the small group health insurance market.  
Business, Labor, and Finance

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### MESSAGE FROM THE GOVERNOR

April 16, 2001

To the Honorable  
Senate  
Sixty-third General Assembly  
First Regular Session  
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following act:

**S.B. 01-129** --Concerning The Financing Of Public Schools, And Making An Appropriation In Connection Therewith.

Approved April 16, 2001 at 2:56 p.m.

Sincerely,

(signed)  
Bill Owens  
Governor

Rec'd: 4/17/01  
K. Goldman, Secretary

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### SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The President has signed: **SB01-116, 158.**

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Senate in Recess--Senate Reconvened.

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### COMMITTEE OF REFERENCE REPORTS

The committee recommends the following:

Agriculture and Natural Resources After consideration on the merits, the committee recommends that **SR01-014** be referred to the Senate for final action.  
Amend the resolution, as printed in Senate Journal, April 9, page 790, line 53, strike "ruminants;" and substitute "animals;".

SR01-014

Page 791, line 9, before "test", insert "accurate";  
 line 13, after "BSE,", insert "new variant";  
 line 21, strike "ruminant";  
 line 34, before "international", insert "certain";  
 line 68, strike "the Colorado Livestock Association" and substitute  
 "Colorado's agricultural associations".  
 Page 792, line 9, strike "the Colorado Livestock" and substitute  
 "Colorado's agricultural associations,";  
 line 10, strike "Association,".  
 Page 790, line 48, strike "Mad" and substitute "Bovine Spongiform  
 Encephalopathy";  
 line 49, strike "Cow Disease".

Agriculture  
and Natural  
Resources

After consideration on the merits, the committee recommends that **SB01-214** be amended  
as follows and, as so amended be referred to the Committee on Appropriations with  
favorable recommendation:

Amend printed bill, page 2, line 9, strike "TO" and substitute "STRATEGY  
TO MINIMIZE EMISSIONS, INCLUDING THE IMPACTS OF ACTIONS BY";

line 10, strike "FEDERAL" and substitute "FEDERAL, STATE, AND LOCAL  
GOVERNMENT, AND PRIVATE".

Page 4, line 23, after the period, insert the following:

"THE ADOPTION OF A FIRE MANAGEMENT PLAN BY A LOCAL OR COUNTY  
UNIT OF GOVERNMENT PURSUANT TO SECTION 30-11-124, C.R.S., DOES  
NOT CONSTITUTE MANAGEMENT FOR PURPOSES OF THIS SECTION UNLESS  
THE COUNTY OR LOCAL UNIT OF GOVERNMENT OWNS OR MANAGES MORE  
THAN TEN THOUSAND ACRES AND IS A SIGNIFICANT USER OF PRESCRIBED  
FIRE.";

line 27, strike "OPERATIONS" and substitute "OPERATIONS, INCLUDING,  
BUT NOT LIMITED TO, OPEN BURNING FOR THE PURPOSE OF MAINTAINING  
WATER CONVEYANCE STRUCTURES,".

Page 5, line 1, after the period, add the following:

"THE COMMISSION SHALL BY RULE EXEMPT FROM THE PROGRAM  
DEVELOPED PURSUANT TO THIS SUBSECTION (7) THOSE SOURCES THAT  
HAVE AN INSIGNIFICANT IMPACT ON VISIBILITY AND AIR QUALITY.";

line 15, strike "then conduct a" and substitute "then conduct a";

line 16, strike "hearing" and substitute "hearing HEARINGS";

line 17, after "emissions", insert "AND IMPACTS";

line 18, after the period, add the following:

"ONLY ONE HEARING SHALL BE HELD FOR EACH PLANNING DOCUMENT.".

Page 7, strike lines 10 and 11 and substitute the following:

"management activities of ~~federal or state land managers and such~~  
SIGNIFICANT USERS OF PRESCRIBED FIRE CONDUCTED ON LANDS THE  
PRIMARY PURPOSE OF WHICH IS NONAGRICULTURAL, UNLESS A PERSON  
ASSERTS AND THE COMMISSION FINDS THAT THE ABSENCE OF REGULATION  
WOULD SUBSTANTIALLY IMPEDE THE OBJECTIVES OF THIS ARTICLE. SUCH  
activities shall be deemed "commercial";

line 21, after "DEMONSTRATES", insert "AND THE STATE FINDS".

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Agriculture and Natural Resources After consideration on the merits, the committee recommends that **SB01-215** be postponed indefinitely. 1  
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Agriculture and Natural Resources After consideration on the merits, the committee recommends that **SJR01-022** be referred to the Senate for final action. 4  
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Amend printed joint resolution, page 2, strike lines 15 through 24; 10

strike line 26 and substitute the following: "products while farmers contemporaneously receive less than the cost of production from the marketplace; and"; 11  
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strike lines 32 through 34 and substitute the following: 15  
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"States to promote an improved agricultural economy through further expansion of domestic and foreign agricultural markets and flexible farming practices that promote conservation and allow farmers to respond to changing market conditions." 17  
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Agriculture and Natural Resources The committee has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed. 25  
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**MEMBERS OF THE  
MINED LAND RECLAMATION BOARD** 28  
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for a term expiring March 1, 2003: 30  
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Charles B. McCulloh of Craig, Colorado, to fill the vacancy occasioned by the resignation of Jack Starner and to serve as a member with experience in the mining industry, appointed; 32  
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for a term expiring March 1, 2005: 37  
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Harry J. Javernick of Lakewood, Colorado, to serve as a member with experience in the mining industry, reappointed. 39  
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Agriculture and Natural Resources After consideration on the merits, the committee recommends that **HB01-1337** be referred to the Committee on Appropriations with favorable recommendation. 44  
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**MESSAGE FROM THE HOUSE** 49  
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April 18, 2001 51  
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Mr. President: 53  
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The House has adopted and returns herewith SJR01-027. 55  
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April 18, 2001 57  
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Mr. President: 59  
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The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1219, amended as printed in House Journal, April 17, page 1255. 61  
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The House has voted to authorize the House conferees on the First Conference Committee on SB01-131 to consider matters not at issue between the two houses. 64  
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**FIRST REPORT OF FIRST CONFERENCE COMMITTEE  
ON HB01-1292**

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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 HB01-1292,  
concerning character education programs in school districts, 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  
change:

Amend rerevised bill, page 4, line 9, after "FOR", insert "AND  
COMPLIANCE WITH".

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

Amend rerevised bill, page 3, strike line 13 and substitute "INSTRUCTION  
TO STUDENTS.";

strike lines 14 and 15 and substitute "BY".

Respectfully submitted,

House Committee:

Senate Committee:

(signed)  
Representative Hefley, Chairman

(signed)  
Senator Matsunaka, Chairman

(signed)  
Representative Lee

(signed)  
Senator Windels

(signed)  
Representative S. Williams

(signed)  
Senator Evans

**SIGNING OF BILLS--RESOLUTIONS--MEMORIALS**

The President has signed: **HJR01-1028.**

**MESSAGE FROM THE REVISOR**

We herewith transmit:

without comment, as amended, HB01-1219.

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 Wednesday, April 18, 2001, was  
laid over until Thursday, April 19, 2001, retaining its place on the calendar.

General Orders--Second Reading of Bills: **SB01-081, SB01-204, SB01-029, SB01-012,  
SB01-078, HB01-1371, HB01-1153, HB01-1260, HB01-1268, SB01-067, SCR01-004.**  
Consideration of Resolutions: **SJR01-010, SJR01-023, SJR01-024, HJR01-1021,  
SJR01-026, SJR01-018.**

Consideration of Memorials: **SM01-001, HJM01-1001.**

Consideration of House Amendments to Senate Bills: **SB01-077.**

Consideration of House Adherence: **HJR01-1010.**

Consideration of Governors Appointments  
Colorado Commission on the Aging  
Colorado Aeronautical Board

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Consideration of Conference Committee Reports: **HB01-1250, HB01-1124, HB01-1187, HB01-1034.**

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**TRIBUTES--A POINT OF INTEREST**

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Memorializing Wilma L. Camerlo by Senator Thiebaut

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Memorializing Fred George Martino by Senator Thiebaut

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Memorializing Abel V. Tapia Sr. by Senator Thiebaut

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Memorializing Robert E. Simon by Senator Thiebaut

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Honoring Patricia Moore by Senator Thiebaut

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Honoring Paul Goetz by Senator Thiebaut

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Honoring Freda Langell Nieters by Senator Fitz-Gerald

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On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., Thursday, April 19, 2001.

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Approved:

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Stan Matsunaka  
President of the Senate

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Attest:

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Karen Goldman  
Secretary of the Senate

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