

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

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Forty-fourth Legislative Day

Thursday, February 22, 2001

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Prayer By the chaplain, Reverend Arlyn Tolzmann, Holy Cross Lutheran Church, Wheat Ridge.

Call to Order By Senator Linkhart, Acting President at 9:00 a.m.

Roll Call Present--Total, 30.  
Absent/Excused--Gordon, Hernandez, Perlmutter, Matsunaka, Taylor--Total 5.  
Present later--Gordon, Hernandez.

Quorum The Acting President announced a quorum present.

Reading of Journal On motion of Senator Hanna, reading of the Journal of Wednesday, February 21, 2001, was dispensed with and the Journal was approved as corrected by the Secretary.

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**SENATE SERVICES REPORT**

Senate Services Correctly reengrossed: SB01-115, 001, 140, 172, 031.

Correctly engrossed: SB01-086, 158, 165, 123.

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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 **HB01-1116** be referred favorably to the Committee of the Whole and be placed on the consent calendar.

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB01-1067** be referred favorably to the Committee of the Whole and be placed on the consent calendar.

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB01-1043** be referred favorably to the Committee of the Whole and be placed on the consent calendar.

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB01-1005** be referred favorably to the Committee of the Whole and be placed on the consent calendar.

Business, Labor, and Finance After consideration on the merits, the committee recommends that **HB01-1138** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 5, strike lines 14 and 15 and substitute the following:

"PLANNING AND BUDGETING, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PERSONNEL, the executive ~~directors~~ DIRECTOR of ~~three~~ ONE principal ~~departments~~ DEPARTMENT, which ~~departments~~ DEPARTMENT shall be designated by the governor, and".

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Business,  
Labor, and  
Finance

After consideration on the merits, the committee recommends that **HB01-1154** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 2, line 13, after "(1.7),", insert "(5), (8),";  
line 23, strike "The holder of" and substitute "The holder of".

Page 3, strike lines 1 through 6 and substitute the following:

"a card or sheet covers MATCHES the numbers on such card or sheet when objects similarly numbered are randomly drawn TO NUMBERS RANDOMLY DRAWN. The game is won when a previously designated arrangement of numbers on such card or sheet is covered."

Page 4, after line 15, insert the following:

"(5) "Equipment" means: With respect to bingo or lotto, the receptacle and numbered objects drawn from it, the master board upon which such objects are placed as drawn, the cards or sheets bearing numbers or other designations to be covered and the objects used to cover them, the board or signs, however operated, used to announce or display the numbers or designations as they are drawn, public address system, and all other articles essential to the operation, conduct, and playing of bingo or lotto; or, with respect to raffles, implements, devices, and machines designed, intended, or used for the conduct of raffles and the identification of the winning number or unit and the ticket or other evidence or right to participate in raffles. "EQUIPMENT" DOES NOT INCLUDE ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO.

(8) "Gross receipts" means receipts from the sale of shares, tickets, or rights in any manner connected with participation in a game of chance or the right to participate therein, including any admission fee or charge, the sale of equipment or supplies, THE SALE OR LEASE OF ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO, and all other miscellaneous receipts."

Page 5, line 2, strike "(9), Colorado Revised Statutes, is" and substitute "(9) and (22), Colorado Revised Statutes, are";

line 6, after "(9)", insert "(a)";

strike lines 7 through 9 and substitute the following:

"games of bingo shall not be purchased or sold at prices in excess of the usual price thereof.

(b) CARDS AND SHEETS THAT ARE DESIGNED OR INTENDED FOR USE WITH ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO SHALL NOT BE PURCHASED OR SOLD AT PRICES IN EXCESS OF THE USUAL PRICE OF CARDS AND SHEETS THAT ARE NOT SO DESIGNED OR INTENDED. CHARGES IMPOSED BY ANY MANUFACTURER, SUPPLIER, AGENT THEREOF, OR BINGO-RAFFLE LICENSEE FOR CARDS AND SHEETS THAT ARE DESIGNED OR INTENDED FOR USE WITH ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO SHALL BE STATED AND IMPOSED SEPARATELY FROM ANY CHARGES IMPOSED BY SUCH MANUFACTURER, SUPPLIER, AGENT THEREOF, OR BINGO-RAFFLE LICENSEE FOR THE PURCHASE, LEASE, OR USE OF ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO. MANUFACTURERS, SUPPLIERS, AND AGENTS THEREOF SHALL NOT INCLUDE COSTS ATTRIBUTABLE TO THE MANUFACTURE OR DISTRIBUTION OF ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO IN CHARGES IMPOSED FOR THE PURCHASE OR LEASE OF EQUIPMENT, INCLUDING CARDS AND SHEETS.

(22) No licensee shall possess, use, sell, offer for sale, or put into play any bingo or pull tab game, ticket, card, or sheet unless it conforms to the definitions and requirements of this article, and was purchased by the licensee from a licensed bingo-raffle manufacturer or supplier or licensed agent thereof. NO LICENSEE SHALL POSSESS, USE, SELL, OFFER FOR SALE, OR PUT INTO PLAY ANY ELECTRONIC DEVICE USED AS AN AID IN THE GAME OF BINGO UNLESS IT CONFORMS TO THE REQUIREMENTS OF THIS ARTICLE AND WAS PURCHASED OR LEASED BY THE LICENSEE FROM A

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HB01-1154

LICENSED BINGO-RAFFLE MANUFACTURER OR SUPPLIER OR LICENSED AGENT THEREOF.";

after line 26, insert the following:

"(29) (a) WITH THE APPLICATION FOR A LETTER RULING PURSUANT TO 12-9-103 (1) (d) FOR THE APPROVAL OF A NEW TYPE OF ELECTRONIC DEVICE USED IN THE AID OF BINGO, THE MANUFACTURER OF SUCH DEVICE SHALL PROVIDE THE FOLLOWING TO THE LICENSING AUTHORITY:

(I) PROTOTYPE OF THE NEW TYPE OF ELECTRONIC DEVICE USED IN THE AID OF BINGO WITH A PROTOTYPE BINGO AID COMPUTER SYSTEM AND A USER'S MANUAL USED FOR SUCH ELECTRONIC DEVICE; AND

(II) A CERTIFICATION BY THE MANUFACTURER THAT THE NEW TYPE OF ELECTRONIC DEVICE USED IN THE AID OF BINGO AND ALL SUCH ELECTRONIC DEVICES USED IN THE STATE MEET THE FOLLOWING STANDARDS:

(A) THE ELECTRONIC DEVICE PROVIDES A MEANS FOR THE INPUT OF NUMBERS ANNOUNCED BY A BINGO CALLER;

(B) THE ELECTRONIC DEVICE COMPARES THE NUMBERS ENTERED TO THE NUMBERS CONTAINED ON BINGO CARDS PREVIOUSLY STORED IN THE ELECTRONIC DATA BASE OF SUCH ELECTRONIC DEVICE;

(C) THE ELECTRONIC DEVICE IDENTIFIES WINNING BINGO PATTERNS; AND

(D) THE ELECTRONIC DEVICE SIGNALS WHEN A WINNING BINGO PATTERN IS ACHIEVED.

(b) THE LICENSING AUTHORITY SHALL RETURN THE PROTOTYPE ELECTRONIC DEVICE USED IN THE AID OF BINGO, THE PROTOTYPE BINGO AID COMPUTER SYSTEM, AND THE USER'S MANUAL SUBMITTED PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (29) NO LATER THAN FORTY-FIVE DAYS AFTER RECEIVING SUCH ITEMS.

(c) WHEN A COMPLAINT REGARDING AN ELECTRONIC DEVICE USED IN THE AID OF BINGO THAT IS IN USE IN THE STATE OF COLORADO HAS BEEN FILED WITH THE LICENSING AUTHORITY, THE MANUFACTURER OF SUCH DEVICE SHALL PROVIDE TO THE LICENSING AUTHORITY A SAMPLE OF SUCH DEVICE AND BINGO AID COMPUTER SYSTEM TO ASSIST THE INVESTIGATION BY THE LICENSING AUTHORITY. THE LICENSING AUTHORITY SHALL RETURN SUCH ELECTRONIC DEVICE AND BINGO AID COMPUTER SYSTEM NO LATER THAN FORTY-FIVE DAYS AFTER RECEIVING SUCH ITEMS, UNLESS THE LICENSING AUTHORITY NEEDS SUCH ELECTRONIC DEVICE LONGER TO COMPLETE THE INVESTIGATION.

(d) ANY ELECTRONIC DEVICE USED IN THE AID OF BINGO, ANY BINGO AID COMPUTER SYSTEM, AND ANY USER'S MANUAL FOR SUCH A DEVICE THAT IS IN THE CUSTODY OF THE LICENSING AUTHORITY PURSUANT TO THIS SECTION SHALL NOT BE CONSTRUED TO BE PUBLIC RECORDS.";

line 27, strike "(29)" and substitute "(30)".

Page 6, strike lines 18 through 22 and substitute the following:

"(31) IF AN ELECTRONIC DEVICE USED AS AN AID IN THE GAME OF BINGO COMPLIES WITH SUB-SUBPARAGRAPHS (A) TO (D) OF SUBPARAGRAPH (II) OF PARAGRAPH (a) OF SUBSECTION (29) OF THIS SECTION, AND IF THE BINGO AID COMPUTER SYSTEM FOR SUCH ELECTRONIC DEVICE SUBSTANTIALLY COMPLIES WITH THE REQUIREMENTS OF SUBSECTION (30) OF THIS SECTION, THE LICENSING AUTHORITY SHALL APPROVE SUCH ELECTRONIC DEVICE AND COMPUTER SYSTEM FOR USE BY A LETTER RULING PURSUANT TO SECTION 12-9-103 (1) (d)."

Page 7, line 10, strike "SECTION." and substitute "SECTION, AND THE FEES ESTABLISHED BY THE LICENSING AUTHORITY IN ACCORDANCE WITH SECTION 12-9-103.5 (3) AND SUBSECTION (5) OF THIS SECTION."

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**HB01-1154**

Page 8, line 6, strike "purchaser," and substitute "purchaser OR LESSEE,".

Page 9, strike lines 9 and 10 and substitute the following:

"coerce a bingo-raffle licensee to purchase supplies or equipment, OR TO PURCHASE OR LEASE ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO, from a";

strike lines 18 through 20 and substitute the following:

"(c) A description of the equipment AND THE ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO manufactured in connection with games of chance activities in Colorado;"

Page 10, strike lines 12 through 15 and substitute the following:

**SECTION 9.** 12-6-108 (5) and (6), Colorado Revised Statutes, are amended to read:

**12-9-108. Bingo-raffle licensee's statement of receipts - expenses - fee.** (5) No item of expense shall be incurred or paid in connection with holding, operating, or conducting any game of chance pursuant to any bingo-raffle license except bona fide expenses of a reasonable amount. Such expenses include those incurred in connection with all games of chance, for the following purposes: The purchase of goods, wares, and merchandise furnished; THE PURCHASE OR LEASE OF ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO; payment for services rendered that are reasonably necessary for repairs of equipment and operating or conducting games of chance; for rent if the premises are rented or for janitorial services if not rented; for accountant's fees; and license fees.

(6) For the purposes enumerated in subsection (5) of this";

line 20, strike "equipment," and substitute "equipment AND ELECTRONIC DEVICES USED AS AIDS IN THE GAME OF BINGO,".

Page 11, strike lines 8 through 16 and substitute the following:

**SECTION 10. Effective date.** This act shall take effect October 1, 2001, unless a referendum petition is filed during the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution. If such a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Public Policy and Planning

After consideration on the merits, the committee recommends that **HB01-1164** be referred favorably to the Committee of the Whole.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading--Final Passage of Bills calendar (**SB01-136, SB01-186, SB01-158, SB01-165, SB01-123**) was laid over until Monday, February 26, 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 General Orders--Second Reading of Bills Consent calendar (**SB01-1057, HB01-1039, HB01-1200, HB01-1016, HB01-1055, HB01-1099**) was laid over until Monday, February 26, 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 House Amendments to Senate Bills.

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### CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

**SB01-183**

by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman--  
Concerning a supplemental appropriation to the department of health care policy and  
financing.

Senator Reeves moved that the Senate concur in House amendments to **SB01-183**, as  
printed in House Journal, February 19, pages 448-449. The motion was **passed** by the  
following roll call vote:

YES	32	NO	0	EXCUSED	3	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	E
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	E	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Epps	Y	Linkhart	Y	Reeves	Y		

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

YES	32	NO	0	EXCUSED	3	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	E
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	E	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Epps	Y	Linkhart	Y	Reeves	Y		

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

**SB01-185**

by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman--  
Concerning a supplemental appropriation to the department of human services.

Senator Reeves moved that the Senate concur in House amendments to **SB01-185**, as  
printed in House Journal, February 19, page 449. The motion was **passed** by the  
following roll call vote:

YES	32	NO	0	EXCUSED	3	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	E
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	E	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Epps	Y	Linkhart	Y	Reeves	Y		

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

YES	32	NO	0	EXCUSED	3	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	E
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	E	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Epps	Y	Linkhart	Y	Reeves	Y		

**SB01-185**

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

**SB01-194**

by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman-- Concerning a supplemental appropriation to the department of public safety.

Senator Reeves moved that the Senate concur in House amendments to SB01-194, as printed in House Journal, February 19, page 450-451. The motion was **passed** by the following roll call vote:

YES	32	NO	0	EXCUSED	3	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	E
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	E	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Epps	Y	Linkhart	Y	Reeves	Y		

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

YES	32	NO	0	EXCUSED	3	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	E
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	E	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Epps	Y	Linkhart	Y	Reeves	Y		

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

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 Governor's Appointments.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS**

On motion of Senator Fitz-Gerald, the following Governor's appointment was confirmed by a roll call vote:

ADVISORY COMMITTEE ON GOVERNMENTAL ACCOUNTING

for a term expiring May 18, 2003:

Jeffrey Mason Reynolds of Golden, Colorado, to serve as a representative of a special services district, reappointed.

YES	32	NO	0	EXCUSED	3	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	E
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	E	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Epps	Y	Linkhart	Y	Reeves	Y		

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.

### CONSIDERATION OF RESOLUTIONS

**SR01-009** by Senator Phillips--Concerning the commendation of the Miss America 2001, Angela Perez Baraquio, for her efforts in benefitting America's youth.

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

YES	32	NO	0	EXCUSED	3	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	E
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	Y	Hanna	Y	Owen	Y	Thiebaut	Y
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	E	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	Y	Mr. President	E
Epps	Y	Linkhart	Y	Reeves	Y		

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

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

**SB01-169** By Senator Linkhart--Concerning work force training programs.

Laid over until Friday, February 23, 2001, retaining its place on the calendar.

**SB01-100** by Senator Gordon--Concerning the requirement for additional disclosures by persons making charitable solicitations, and, in connection therewith, prohibiting certain practices.

Laid over until Monday, February 26, 2001, retaining its place on the calendar.

**SB01-079** by Senators Windels and Phillips--Concerning grandparent visitation time with grandchildren.  
(Amended as printed in Senate Journal, February 16, 2001, pages 335-336.)

Laid over until Monday, February 26, 2001, retaining its place on the calendar.

**SB01-034** by Senator Owen; also Representative Williams T.--Concerning the regulation of insurance producers by the division of insurance.

Amendment No. 1, Agriculture and Natural Resources Committee Amendment.  
(Printed in Senate Journal, February 1, 2001, page 160.)

Amendment No. 2, Senator Owen.

Amend printed bill, page 27, strike lines 18 through 27.

Strike pages 28 and 29.

Page 30, strike lines 1 through 24.

Renumber succeeding subsection accordingly.

Amendment No. 3, Senator Owen.

Strike the Business, Labor, and Finance Committee amendment, as printed in the Senate Journal, dated February 1, 2001, page 160, lines 2 through 7.

Amend printed bill, page 8, strike lines 24 through 27.

Page 9, strike line 1.

<b>SB01-034</b>	As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	1 2 3
<b>SB01-038</b>	by Senator McElhany; also Representative Rippy--Concerning the authority of counties to adopt subdivision regulations that entitle subdividers to fair-share reimbursement of the cost of improvements from owners of property that benefits from the improvements.	4 5 6 7
	<u>Amendment No. 1, Government, Veterans and Military Relation and Transportation Committee Amendment.</u> (Printed in Senate Journal, February 16, 2001, page 334.)	8 9 10 11
	As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	12 13 14
<b>SB01-066</b>	by Senator Gordon--Concerning increased protections for water quality in Cherry Creek reservoir, and, in connection therewith, adjusting the Cherry Creek basin water quality authority's duties and membership.	15 16 17 18
	Laid over until Friday, February 23, 2001, retaining its place on the calendar.	19 20
<b>SB01-144</b>	by Senator Reeves--Concerning the promotion of energy efficiency.	21 22
	Laid over until Friday, February 23, 2001, retaining its place on the calendar.	23 24
<b>SB01-145</b>	by Senator Phillips; also Representative Witwer--Concerning the enforceability of environmental real covenants.	25 26 27
	<u>Amendment No. 1, Public Policy and Planning Committee Amendment.</u> (Printed in Senate Journal, February 19, 2001, page 350.)	28 29 30
	<u>Amendment No. 2, Senator Phillips.</u>	31 32
	Amend printed bill, page 9, line 15, strike "ENFORCEABLE";	33 34
	line 16, after "ORDINANCE", insert "OR RESOLUTION";	35 36
	line 21, after "ORDINANCE", insert "OR RESOLUTION";	37 38
	line 26, after "ORDINANCE", insert "OR RESOLUTION".	39 40
	Page 10, line 1, after "ORDINANCE", insert "OR RESOLUTION";	41 42
	line 6, after "ORDINANCE", insert "OR RESOLUTION".	43 44
	Page 13, line 26, strike "COVENANT," and substitute "COVENANT AND THAT MAY RELATE TO OR IMPACT SUCH COVENANT,".	45 46 47
	Page 14, line 19, after the period, add "NOTHING IN SECTIONS 25-15-317 TO 25-15-326 SHALL IMPOSE AN OBLIGATION ON ANY OWNER OF LAND INVOLVED IN AN ENVIRONMENTAL REMEDIATION PROJECT WHO IS NOT BEING REQUIRED TO REMEDIATE THE CONTAMINATION TO GRANT AN ENVIRONMENTAL COVENANT.".	48 49 50 51 52 53
	As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	54 55 56
<b>SB01-120</b>	by Senator Musgrave--Concerning the definition of "significant family risk factors" for purposes of the Colorado preschool program.	57 58 59
	<u>Amendment No. 1, Education Committee Amendment.</u> (Printed in Senate Journal, February 19, 2001, page 350-351.)	60 61 62
	As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.	63 64 65
<b>SB01-201</b>	by Senator Dennis; also Representative Fairbank--Concerning continuation of the regulation of passenger tramways by the passenger tramway safety board in the division of registrations.	66 67 68 69
	<u>Amendment No. 1, Government, Veterans and Military Relations and Transportation Committee Amendment.</u> (Printed in Senate Journal, February 19, 2001, page 351.)	70 71 72



- SB01-201** As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 1  
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- SB01-130** by Senator Evans; also Representative Nunez--Concerning the reclassification of counties for purposes of fixing certain county fees. 3  
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Amendment No. 1, Government, Veterans and Military Relations and Transportation Committee Amendment. 7  
(Printed in Senate Journal, February 19, 2001, page 352.) 8  
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As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 11  
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- SB01-151** by Senator Hernandez--Concerning César Chávez day. 14  
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Amendment No. 1, Senator Hernandez. 16  
Amend printed bill, page 2, line 19, after "AT", insert "NO LESS THAN". 17  
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As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 19  
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On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders--Second Reading calendar (SB01-092, SB01-104, HB01-1032, HB01-1013, HB01-1069) of Thursday, February 22, 2001, was laid over until Friday, February 23, 2001, retaining its place on the calendar. 23  
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#### ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

- On motion of Senator Tate, the Report of the Committee of the Whole was adopted and, a majority of all members elected having voted in the affirmative, the following action was taken: 28  
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Passed on Second Reading: **SB01-034** as amended, **SB01-038** as amended, **SB01-145** as amended, **SB01-120** as amended, **SB01-201** as amended, **SB01-130** as amended, **SB01-151** as amended. 35  
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Laid over till Friday, February 23, 2001: **SB01-169**, **SB01-066**, **SB01-144**, **SB01-092**, **SB01-104**, **HB01-1032**, **HB01-1013**, **HB01-1069**. 38  
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Laid over till Monday, February 26, 2001: **SB01-100**, **SB01-079** as amended. 40  
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Senate in Recess--Senate Reconvened.

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#### COMMITTEE OF REFERENCE REPORTS

The committees recommend the following:

- Judiciary After consideration on the merits, the committee recommends that **HB01-1187** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation. 47  
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Amend reengrossed bill, page 8, line 24, strike "TWENTY-FIRST BIRTHDAY:" and substitute "EIGHTEENTH BIRTHDAY:". 53  
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Page 10, after line 14, insert the following: 56  
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"SECTION 5. 30-10-606 (6), Colorado Revised Statutes, is amended to read: 58  
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**30-10-606. Coroner - inquiry, grounds - postmortem - jury - certificate of death.** (6) Notwithstanding the provisions of sections 12-43-218 and 13-90-107 (1) (d) or (1) (g), C.R.S., the coroner holding an inquest or investigation pursuant to this section has the authority to request and receive a copy of any autopsy report or medical information from any pathologist, physician, dentist, hospital, or health care provider or institution or any information, record, or report related to treatment, consultation, counseling, or therapy services from any licensed psychologist, professional counselor, marriage and family therapist, social worker, alcohol and drug abuse counselor, or unlicensed psychotherapist if such report, record, or information is relevant to the 61  
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**HB01-1187**

inquest or investigation. The coroner shall not release any record or report obtained pursuant to this subsection (6) to any third party, EXCEPT THE DISTRICT ATTORNEY OR THE ATTORNEY GENERAL. Any person who complies with a request from a coroner pursuant to this subsection (6) shall be immune from any civil or criminal liability that might otherwise be incurred or imposed with respect to the disclosure of confidential patient or client information.

**SECTION 6.** 18-4-412 (2) (c) (IV), Colorado Revised Statutes, is amended to read:

**18-4-412. Theft of medical records or medical information - penalty.** (2) As used in this section:

(c) "Proper authorization" means:

(IV) Authorized possession pursuant to section 18-7-201.5, 18-7-205.5, or 18-3-415.5, OR SECTION 30-10-606 (6), C.R.S."

Renumber succeeding sections accordingly.

Judiciary

After consideration on the merits, the committee recommends that **HB01-1171** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 4 through 12 and substitute the following:

**"SECTION 2. 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."

Government, Veterans and Military Relations, and Transportation

After consideration on the merits, the committee recommends that **HB01-1006** be referred favorably to the Committee of the Whole and be placed on the consent calendar.

Government, Veterans and Military Relations, and Transportation

After consideration on the merits, the committee recommends that **HB01-1085** be referred favorably to the Committee of the Whole and be placed on the consent calendar.

Business, Labor, and Finance

After consideration on the merits, the committee recommends that **HB01-1015** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation and be placed on the consent calendar.

Amend reengrossed bill, page 2, strike lines 13 through 21 and substitute the following:

**"SECTION 2. Effective date.** This act shall take effect July 1, 2001.

**SECTION 3. 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."

Agriculture and Natural Resources

The Committee has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed and be placed on the consent calendar.

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MEMBER OF THE  
COLORADO LOTTERY COMMISSION

for a term expiring July 1, 2004:

Jacquelyn J. Willis of Denver, Colorado, to serve as a member of the public and as a Democrat, appointed.

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**MESSAGE FROM THE HOUSE**

February 22, 2001

Mr. President:

The House has adopted and transmits herewith HJR01-1014, as printed in House Journal, February 22, and amended as printed in House Journal, February 22.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1114, amended as printed in House Journal, February 21, page 491-494.

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**MESSAGE FROM THE REVISOR**

We herewith transmit:

without comment, as amended, HB01-1114.

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**INTRODUCTION OF RESOLUTIONS**

The following resolutions were read by title:

**SJR01-011** By Senators Pascoe, Thiebaut, Gordon, Tupa and Windels; also Representatives Romanoff, Daniel, Groff, Hefley, King, Lee, Spence, White, Williams S. and Williams T.-  
-Concerning the commendation of Dr. Janette B. Benson for being named 2000 Colorado Professor of the year.

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

**HJR01-1014** By Representative Dean; also Senator Matsunaka--Concerning closing the learning gap.

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

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**TRIBUTES--A POINT OF INTEREST**

Memorializing Col. Nick John Badovinac Jr. by Senator Thiebaut

Memorializing Thelma Marie Bulander by Senator Thiebaut

Memorializing John Patrick Sheehan by Senator Thiebaut

Memorializing Mary A. Bocim by Senator Thiebaut

Memorializing Rose M. Crockenberg by Senator Thiebaut

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On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., Friday, February 23, 2001.

Approved:

Doug Linkhart  
Acting President of the Senate

Attest:

Karen Goldman  
Secretary of the Senate

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