

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

Twenty-eighth Legislative Day

Tuesday, February 6, 2001

Prayer	By the chaplain, Reverend Paul Kottke, University Park United Methodist Church.	1
Call to Order	By the President at 9:00 a.m.	2
Roll Call	Present--Total, 35.	3
Quorum	The President announced a quorum present.	4
Reading of Journal	On motion of Senator Gordon, reading of the Journal of Monday, February 5, 2001, was dispensed with and the Journal stands approved as corrected by the Secretary.	5

INTRODUCTION OF BILLS

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

SB01-179	by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman-- Concerning a supplemental appropriation to the department of agriculture. Appropriations	6
SB01-180	by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman-- Concerning a supplemental appropriation to the department of corrections. Appropriations	7
SB01-181	by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman-- Concerning a supplemental appropriation to the department of education. Appropriations	8
SB01-182	by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman-- Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting. Appropriations	9
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. Appropriations	10
SB01-184	by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman-- Concerning a supplemental appropriation to the department of higher education. Appropriations	11
SB01-185	by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman-- Concerning a supplemental appropriation to the department of human services. Appropriations	12
SB01-186	by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman-- Concerning a supplemental appropriation to the judicial department. Appropriations	13
SB01-187	by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman-- Concerning a supplemental appropriation to the department of labor and employment. Appropriations	14
SB01-188	by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman-- Concerning a supplemental appropriation to the department of law. Appropriations	15
SB01-189	by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman-- Concerning a supplemental appropriation to the department of local affairs. Appropriations	16

- SB01-190** by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman--
Concerning a supplemental appropriation to the department of military affairs.
Appropriations
- SB01-191** by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman--
Concerning a supplemental appropriation to the department of natural resources.
Appropriations
- SB01-192** by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman--
Concerning a supplemental appropriation to the department of personnel.
Appropriations
- SB01-193** by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman--
Concerning a supplemental appropriation to the department of public health and
environment.
Appropriations
- SB01-194** by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman--
Concerning a supplemental appropriation to the department of public safety.
Appropriations
- SB01-195** by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman--
Concerning a supplemental appropriation to the department of regulatory agencies.
Appropriations
- SB01-196** by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman--
Concerning a supplemental appropriation to the department of revenue.
Appropriations
- SB01-197** by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman--
Concerning a supplemental appropriation to the department of state.
Appropriations
- SB01-198** by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman--
Concerning a supplemental appropriation to the department of transportation.
Appropriations
- SB01-199** by Senators Reeves, Tate and Owen; also Representatives Young, Berry and Saliman--
Concerning a supplemental appropriation to the department of the treasury.
Appropriations

**THIRD READING OF BILLS--FINAL PASSAGE--
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:

- SB01-112** by Senator Chlouber; also Representative Clapp--Concerning the continuation of the
licensing of public livestock markets, and, in connection therewith, extending the sunset
date from July 1, 2001, to July 1, 2010.

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

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
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	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: Matsunaka, Tate.

SB01-036

by Senator Phillips; also Representative Rippy--Concerning the addition of the authority of certain local governments to form local improvement districts to provide for the conversion of existing overhead electric transmission facilities to underground locations.

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

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
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	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**.

SB01-027

by Senator Nichol; also Representative Larson--Concerning the requirement that an owner of a consumer credit transaction secured by residential real property give notice to each person liable on the loan that the owner intends to foreclose on the deed of trust prior to the commencement of foreclosure proceedings.

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

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
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	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: Fitz-Gerald, Tate, Taylor, Windels.

SB01-090

by Senator May; also Representative Swenson--Concerning state highway projects funded from moneys allocated to the capital construction fund.

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

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
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	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, Cairns, Dyer (Arapahoe), Epps, Hernandez, McElhany, Musgrave, Taylor.

SB01-055

by Senator Phillips; also Representative Webster--Concerning the tax status of certain shipping aids used in the movement of certain products.

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

SB01-055

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
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	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: Musgrave.

SB01-111

by Senator Dennis; also Representative Spradley--Concerning the continuation of the licensing of livestock slaughterers, and, in connection therewith, extending the sunset date from July 1, 2001, to July 1, 2010.

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

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
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	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: May, Tate, Taylor.

HB01-1203

by Representative Dean; also Senator Dyer (Durango)--Concerning weight limits for veteran license plates.

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

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
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	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: Arnold, Dennis, Epps, Evans, May, McElhany, Musgrave, Nichol, Owen, Taylor, Teck.

THIRD READING OF BILLS--FINAL PASSAGE

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

SB01-025

by Senator Dyer (Arapahoe); also Representative Stengle-- Concerning fiscal impact statements included in the ballot information booklet for initiated or referred measures.

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

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SB01-025

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
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	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, Arnold, Dyer (Durango), Hillman, Lamborn, May, Musgrave Nichol.

SB01-103

by Senator Dyer (Durango); also Representative Rippy--Concerning conflict of interest requirements for members of the oil and gas conservation commission.

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

YES	27	NO	7	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	*	May	N	Takis	Y
Andrews	N	Fitz-Gerald	Y	McElhany	N	Tate	Y
Arnold	Y	Gordon	Y	Musgrave	N	Taylor	Y
Cairns	Y	Hagedorn	Y	Nichol	Y	Teck	Y
Chlouber	N	Hanna	Y	Owen	N	Thiebaut	Y
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	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**.

Abstaining (*) from voting under Senate Rule 17(c)--Senator Evans.

Co-sponsor added: Tupa

SB01-076

by Senators Andrews, Arnold, Cairns, May and McElhany; also Representative Spence--Concerning public disclosure of school district collective bargaining agreements.

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

YES	30	NO	5	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	N
Dennis	Y	Hernandez	Y	Pascoe	N	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	Y	Phillips	N	Mr. President	Y
Epps	Y	Linkhart	N	Reeves	Y		

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

Co-sponsors added: Arnold, Dyer (Arapahoe), Epps, Evans, Hillman, Lamborn, May, Musgrave, Teck.

SB01-117

by Senator Gordon; also Representative Hefley--Concerning the continuation of the sex offender management board, and, in connection therewith, clarifying how appointments are made to the board, changing the membership of the board, and requiring the board to report to the general assembly.

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

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YES	34	NO	1	EXCUSED	0	ABSENT	0
Anderson	Y	Evans	Y	May	N	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
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	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: Dyer (Arapahoe), Epps, Hanna, Windels.

HB01-1020

by Representative Hoppe; also Senator Hillman--Concerning changes to the "Colorado Agricultural Marketing Act of 1939" to permit assessments on certain crops produced outside of Colorado for sale in Colorado, and, in connection therewith, clarifying who is required to collect assessments and defining "handler" to include producers who ship agricultural commodities, purchasers of agricultural commodities, and governmental entities that acquire interests in agricultural commodities under governmental agricultural commodity programs.

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

YES	34	NO	1	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
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	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 (Durango), Evans, Hernandez, Owen, Taylor.

On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Second Reading--General Orders calendar (**SB01-001, SB01-003, SB01-118, SB01-022, SB01-034, SB01-079, SB01-121, SB01-043, SB01-101**) of Tuesday, February 6, 2001, was laid over until Wednesday, February 7, 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 **HJR01-1008**.

CONSIDERATION OF RESOLUTION

HJR01-1008

by Representative Miller; also Senator Anderson--Concerning the appointment of J. David Barba to the position of state auditor.

The question being "Shall the resolution be adopted?", the roll call was called with the following result:

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
Dennis	Y	Hernandez	Y	Pascoe	Y	Tupa	Y
Dyer, E.	Y	Hillman	Y	Perlmutter	Y	Windels	Y
Dyer, F.	Y	Lamborn	N	Phillips	Y	Mr. President	Y
Epps	Y	Linkhart	Y	Reeves	Y		

aff ~~HR01-1008~~

resolution was declared **adopted**.

Co-sponsors added: The morning 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 balance of the Consideration of Resolutions calendar (**SJR01-004, SJR01-005**) of Tuesday, February 6, 2001, was laid over until Wednesday, February 7, 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 Considerations of Governor's Appointments calendar of Tuesday, February 6, 2001, was laid over until Wednesday, February 7, 2001, retaining its place on the calendar.

Senate in Recess--Senate Reconvened.

SENATE SERVICES REPORT

Senate Services

Correctly printed: SB01-179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199.

Correctly engrossed: SB01-027, 036, 055, 076, 090, 103, 111, 112, 117.

Correctly reengrossed: SB01-044, 080, 082, 116.

Correctly revised: HB01-1203, 1020.

COMMITTEES 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 appointment and recommends that the appointment be confirmed:

BOARD OF REAL ESTATE APPRAISERS

for terms expiring July 1, 2003:

Louis Joseph Garone of Westminster, Colorado, to serve as a real estate appraiser, appointed;

James Allan Holmes of Denver, Colorado, to serve as a member of the public, reappointed;

Arthur Victor Gallegos of Colorado Springs, Colorado, to serve as a member of the public, reappointed.

Business, Labor, and Finance

After consideration on the merits, the committee recommends that **SB01-041** be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, strike lines 6 through 27.

Strike pages 4 through 7.

Page 8, strike lines 1 through 21, and substitute the following:

"IS THE GOAL OF THE GENERAL ASSEMBLY AND THAT THE GATHERING OF INFORMATION CONCERNING THE EXISTENCE OF WAGE DISCRIMINATION AND SOLUTIONS TO ADDRESSING THIS DISCRIMINATION IS IN THE BEST INTERESTS OF THE STATE.

24-34-408. Women's commission - creation - powers - duties - repeal. (1) (a) THERE IS HEREBY CREATED THE WOMEN'S COMMISSION CONSISTING OF SEVEN MEMBERS. THREE MEMBERS SHALL BE APPOINTED BY THE GOVERNOR. TWO MEMBERS SHALL BE APPOINTED BY THE HOUSE

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SB01-041

OF REPRESENTATIVES, ONE OF WHOM SHALL BE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE OTHER APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES. TWO MEMBERS SHALL BE APPOINTED BY THE SENATE, ONE OF WHOM SHALL BE APPOINTED BY THE PRESIDENT OF THE SENATE AND THE OTHER MEMBER SHALL BE APPOINTED BY THE MINORITY LEADER OF THE SENATE. NO MORE THAN FOUR MEMBERS SHALL BE FROM THE SAME POLITICAL PARTY. THE EXECUTIVE DIRECTOR OF THE CIVIL RIGHTS COMMISSION OR THE EXECUTIVE DIRECTOR'S DESIGNEE SHALL SERVE ON THE COMMISSION EX OFFICIO AND SHALL NOT HAVE VOTING RIGHTS.

(b) THE TERMS OF THE MEMBERS OF THE COMMISSION SHALL BE TERMS OF THREE YEARS EACH; EXCEPT THAT, OF THE MEMBERS APPOINTED TO TAKE OFFICE INITIALLY, THREE SHALL BE APPOINTED FOR ONE-YEAR TERMS, THREE SHALL BE APPOINTED FOR TWO-YEAR TERMS, AND ONE SHALL BE APPOINTED FOR A THREE-YEAR TERM. ALL INITIAL APPOINTMENTS SHALL BE MADE NO LATER THAN AUGUST 1, 2001.

(c) APPOINTMENTS TO THE COMMISSION SHALL BE MADE SO THAT ALL PERSONS SHALL HAVE APPROPRIATE EXPERTISE IN THE DEMOGRAPHIC, LEGAL, SOCIOECONOMIC, AND BUSINESS ISSUES RELATED TO WAGE DISCRIMINATION AND ISSUES AFFECTING WOMEN. MEMBERS OF THE COMMISSION SHALL INCLUDE REPRESENTATIVES FROM BUSINESS, NONPROFIT ENTITIES, AND ORGANIZED LABOR.

(d) WHENEVER A VACANCY EXISTS ON THE COMMISSION, THE GOVERNOR SHALL APPOINT A MEMBER FOR THE REMAINING PORTION OF THE UNEXPIRED TERM CREATED BY THE VACANCY, SUBJECT TO CONFIRMATION BY THE SENATE.

(e) MEMBERS OF THE COMMISSION SHALL SERVE WITHOUT COMPENSATION BUT MAY BE REIMBURSED FOR ALL REASONABLE EXPENSES RELATED TO SERVICE ON THE COMMISSION.

(f) EACH APPOINTED MEMBER OF THE COMMISSION SHALL HAVE A VOTE. TWO-THIRDS OF THE MEMBERS OF THE COMMISSION SHALL CONSTITUTE A QUORUM AND THE CONCURRENCE OF A MAJORITY OF THE MEMBERS PRESENT AT ANY MEETING AT WHICH A QUORUM IS PRESENT ON ANY MATTER WITHIN ITS POWERS AND DUTIES SHALL BE REQUIRED FOR ANY DETERMINATION MADE BY THE COMMISSION.

(2) THE COMMISSION SHALL PROMULGATE RULES THAT PERTAIN TO THE CREATION OF A PILOT PROGRAM TO EVALUATE THE NATURE AND EXTENT OF WAGE DISCRIMINATION IN COLORADO. THE RULES SHALL BE PROMULGATED IN ACCORDANCE WITH THE PROCEDURES AND OTHER PROVISIONS OF ARTICLE 4 OF THIS TITLE. SUCH RULES SHALL PROVIDE FOR THE CRITERIA FOR A PILOT PROGRAM REGARDING WAGE DISCRIMINATION, AND SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

(a) THE NUMBER OF EMPLOYERS TO PARTICIPATE IN THE PILOT PROGRAM, BUT THE COMMISSION SHALL NOT AUTHORIZE MORE THAN TWENTY-FIVE EMPLOYERS TO PARTICIPATE IN THE PILOT PROGRAM. THE COMMISSION SHALL ENCOURAGE EMPLOYERS WITH LARGE, MEDIUM, AND SMALL NUMBERS OF EMPLOYEES TO PARTICIPATE IN THE PILOT PROGRAM.

(b) AN APPLICATION FORM TO BE COMPLETED BY ANY INTERESTED EMPLOYERS AND PROCEDURES AND POLICIES FOR ACCEPTANCE OF EMPLOYERS IN THE PILOT PROGRAM;

(c) A TIME FRAME FOR THE COMPLETION OF THE PILOT PROGRAM, BUT IN NO EVENT SHALL THE PILOT PROGRAM CONTINUE PAST JULY 1, 2004;

(d) THE CRITERIA TO BE USED TO DETERMINE THE EXISTENCE OF WAGE DISCRIMINATION, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

(I) WHETHER THE JOB HAS EVER BEEN FORMALLY CLASSIFIED BY THE STATE DEPARTMENT OF LABOR AND EMPLOYMENT OR THE FEDERAL DEPARTMENT OF LABOR AS OR HAS TRADITIONALLY BEEN CONSIDERED TO BE A "MALE", "FEMALE", "WHITE", OR "MINORITY" JOB;

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SB01-041

(II) WHETHER THERE IS A HISTORY OF DISCRIMINATION AGAINST WOMEN OR MINORITIES WITH REGARD TO WAGES, ASSIGNMENT OR ACCESS TO JOBS, OR OTHER TERMS AND CONDITIONS OF EMPLOYMENT; OR

(III) THE DEMOGRAPHIC COMPOSITION OF THE WORK FORCE IN EQUIVALENT JOBS.

(IV) WHAT METHOD OF WAGE DISCLOSURE AND RECORD-KEEPING SHOULD BE IMPLEMENTED, IF ANY, BY EMPLOYERS PARTICIPATING IN THE PROGRAM TO CAPTURE NECESSARY DATA REGARDING WAGES.

(e) RECOMMENDATIONS FOR EMPLOYERS TO REDUCE AND ELIMINATE WAGE DISCRIMINATION.

(3) THE WOMEN'S COMMISSION SHALL CONSULT THE COMMISSION ON CIVIL RIGHTS WITHIN THE DEPARTMENT OF REGULATORY AGENCIES IN PROMULGATING RULES PURSUANT TO SUBSECTION (2) OF THIS SECTION.

(4) RULES PROMULGATED BY THE WOMEN'S COMMISSION SHALL BE COMPLETED NO LATER THAN MARCH 1, 2002."

Renumber succeeding sections accordingly.

Page 9, strike lines 4 through 15 and substitute the following:

"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."

Business, Labor, and Finance

After consideration on the merits, the committee recommends that **SB01-024** be postponed indefinitely.

Business, Labor, and Finance

After consideration on the merits, the committee recommends that **HB01-1037** be referred favorably to the Committee of the Whole.

Business, Labor, and Finance

After consideration on the merits, the committee recommends that **HB01-1267** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 4, strike lines 8 through 11 and substitute the following:

"THE CONTROLLER SHALL TRANSFER, IN TWELVE EQUAL INSTALLMENTS MADE ON THE LAST DAY OF EACH MONTH OF SUCH FISCAL YEAR, THE AMOUNT OF TWO HUNDRED TWELVE MILLION DOLLARS".

Judiciary

After consideration on the merits, the committee recommends that **SB01-159** be referred favorably to the Committee of the Whole.

Judiciary

After consideration on the merits, the committee recommends that **SB01-136** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike lines 7 and 8 and substitute the following:

"SHALL BE FROM NATURAL PERSONS."

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Judiciary

After consideration on the merits, the committee recommends that **SB01-092** be amended as follows and, as so amended be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, after line 22, insert the following:

"(d) (I) The *Buckley* court recognized the danger from the impact of the appearance of corruption stemming from public awareness of the opportunities for abuse inherent in large contributions and that the avoidance of the appearance of improper influence is critical if public confidence in the system of representative government is not to be eroded. The voters of Colorado affirmed their awareness of these dangers in the legislative declaration of the "Fair Campaign Practices Act", article 45 of title 1, Colorado Revised Statutes, which states that "large campaign contributions create the potential for corruption and the appearance of corruption".

(II) The practice of certain educational committees raise a real threat of the appearance of, if not actual, corruption. In order to make substantial expenditures in political campaigns, certain educational committees have solicited and accepted contributions, without disclosing those contributions, in excess of the limits on contributions and disclosure requirements applicable to regulated persons or entities under the "Fair Campaign Practices Act", article 45 of title 1, Colorado Revised Statutes. Such anonymous contributions in excess of, and outside of, existing limits under the act to committees that make large campaign expenditures undermines public confidence in the integrity of the political process and contributes to a perception on the part of the public that the political process is corrupt.

(III) The "Fair Campaign Practices Act", article 45 of title 1, Colorado Revised Statutes, states that the interests of the public are best served by "full and timely disclosure of campaign contributions". Pursuant to the act, the public generally has timely means to discover the source of moneys contributed to political campaigns by regulated person or entities and how such money has been spent. Such disclosure gives voters the opportunity to take such information into account in casting their ballots, and thereby provides some manner of keeping elected officials accountable to the voters for the source of their campaign funding. In contrast, the failure to disclose the funding of political messages produced by educational committees before the election deprives the public of the opportunity to evaluate information relevant to such disclosure in casting their ballots. This lack of disclosure additionally undermines public confidence in the political process and aggravates popular feeling that the system is corrupt."

Reletter succeeding paragraphs accordingly.

Page 5, after line 10, insert the following:

"(f) To allow certain persons or entities to deliver a message unequivocally intending to influence an election a specified number of days before an election, without requiring disclosure of the contributions received, expenditures made, and obligations entered into by such persons or entities and contrary to how analogous messages delivered by other actors in the political process are treated, is inconsistent with the stated intent of the voters who adopted the "Fair Campaign Practices Act", article 45 of title 1, Colorado Revised Statutes, undermines public confidence in the governmental process, and aggravates popular feeling that the political system appears to be corrupt."

Reletter succeeding paragraph accordingly.

Page 5, strike lines 15 through 18 and substitute the following:

"SECTION 2. The introductory portion to 1-45-105.3 (1), Colorado Revised Statutes, is amended to read:";

strike lines 25 through 27.

Page 6, strike lines 1 through 8.

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SB01-092

Page 8, line 26, strike "(1) (a) and (2.3)," and substitute "(1) (a), (2.3), and (3),".

Page 9, after line 13, insert the following:

"(3) All candidate committees, political committees, issue committees, and political parties, AND ANY PERSON MAKING AN INDEPENDENT EXPENDITURE UNDER SECTION 1-45-107 (1), shall register with the appropriate officer before accepting or making any contributions. Registration shall include a statement listing:

(a) The organization's OR PERSON'S full name, spelling out, IN THE CASE OF THE ORGANIZATION, any acronyms used therein;

(b) A natural person authorized to act as a registered agent FOR THE ORGANIZATION;

(c) (I) IN THE CASE OF AN ORGANIZATION, a street address and telephone number for the principle place of operations;

(II) IN THE CASE OF A PERSON, SUCH PERSON'S STREET ADDRESS AND TELEPHONE NUMBER;

(d) All affiliated candidates and committees OF THE ORGANIZATION OR PERSON;

(e) The purpose or nature of interest of the committee, or party, OR PERSON."

Judiciary

After consideration on the merits, the committee recommends that SB01-168 be amended as follows and, as so amended be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 7, line 12, strike "RECEIVE" and substitute "BE SENT".

Page 15, after line 12, insert the following:

"SECTION 9. 42-3-130.5, Colorado Revised Statutes, is amended to read:

42-3-130.5. Persistent drunk driver cash fund - programs to deter persistent drunk drivers. There is hereby created in the state treasury the persistent drunk driver cash fund, which shall be composed of moneys collected for penalty surcharges under section 42-4-1301 (9) (g) (II). The moneys in such fund are subject to annual appropriation by the general assembly to pay the costs incurred by the department regarding persistent drunk drivers under the provisions of sections 42-2-126 (2.5) and 42-7-406 (1.5), TO PAY FOR COSTS INCURRED BY THE DEPARTMENT FOR COMPUTER PROGRAMING CHANGES RELATED TO TREATMENT COMPLIANCE FOR PERSISTENT DRUNK DRIVERS PURSUANT TO SECTION 42-2-144, and to support programs that are intended to deter persistent drunk driving or intended to educate the public, with particular emphasis on the education of young drivers, regarding the dangers of persistent drunk driving. The departments of transportation, revenue, and human services shall coordinate programs intended to accomplish such goals.

SECTION 10. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the persistent drunk driver cash fund created in section 42-3-130.5, Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2001, the sum of twenty-nine thousand two hundred sixty-seven dollars (\$29,267) and 0.4 FTE, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding sections accordingly.

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SB01-168

Page 1, line 102, strike "DRIVERS." and substitute "DRIVERS, AND MAKING AN APPROPRIATION THEREFOR."

MESSAGE FROM THE HOUSE

February 6, 2001
Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1001,1009,1218,1222.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB01-1010, amended as printed in House Journal, February 5, page 277. HB01-1021, amended as printed in House Journal, February 5, page 276. HB01-1085, amended as printed in House Journal, February 5, page 275. HB01-1115, amended as printed in House Journal, February 5, page 275.

MESSAGE FROM THE REVISOR

We herewith transmit:

without comment, HB01-1001, 1009, 1218, and 1222;
without comment, as amended, HB01-1010, 1021, 1085, and 1115.

INTRODUCTION OF BILLS

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

- SB01-200** by Senators Perlmutter, Dennis, Hanna, Hernandez, Phillips, Epps, Dyer (Arapahoe) and Dyer (Durango); also Representative Sinclair--Concerning funding for veterans programs. Government, Veterans and Military Relations, and Transportation
- HB01-1001** by Representative King; also Senator McElhany--Concerning the state sales tax refund payable to qualified individuals when state revenues are in excess of the constitutional limitation on state fiscal year spending. Public Policy and Planning
- HB01-1009** by Representatives Young and Ragsdale; also Senators Evans and Teck--Concerning the state auditor's duty to conduct records management audits of state government agencies. Government, Veterans and Military Relations, and Transportation
- HB01-1010** by Representative Young; also Senators Evans, Hernandez and Teck--Concerning the assessment of available space for public records storage in state archives and public records. Government, Veterans and Military Relations, and Transportation
- HB01-1021** by Representative Tochtrop; also Senator Tate--Concerning increased disclosure requirements relating to the provision of automobile personal injury protection insurance. Business, Labor, and Finance
- HB01-1085** by Representative Sinclair; also Senator Takis and Nichol--Concerning the selection process for employment in the state personnel system. Government, Veterans and Military Relations, and Transportation
- HB01-1115** by Representative White and Stengel; also Senator Phillips--Concerning requirements that licensed automobile dealers disclose the amount of compensation prior to completion of a transaction. Business, Labor, and Finance
- HB01-1218** by Representatives Spence, Bacon, Groff, Hefley, Kester, King, Lee, White and Williams S.; also Senator Arnold--Concerning the use of the curriculum-based achievement college entrance examination, and in connection therewith, delaying the use of the scores of the examination for rating schools' academic performance and authorizing certain students to take the examination on an alternative, nationwide date. Education

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HB01-1222 by Representatives Hefley, King and Spence; also Senator Anderson--Concerning the
 replacement of information on student drop out rates with information on school
 attendance rates in reports for elementary schools.
 Education

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TRIBUTE--A POINT OF INTEREST

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Memorializing State Trooper Jason L. Manspeaker by Senators Arnold and Teck and
 Representatives Scott, Alexander and Smith.

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On motion of Senator Epps, the Senate adjourned until 9:00 a.m., Wednesday, February 7,
 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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