

**HOUSE JOURNAL**  
**SIXTY-FIFTH GENERAL ASSEMBLY**  
**STATE OF COLORADO**  
**Second Regular Session**

One hundred-eighteenth Legislative Day                      Friday, April 28, 2006

1 Prayer by Father Tom Carzon, Holy Ghost Church, Denver.  
2  
3 The Speaker called the House to order at 9:00 a.m.  
4  
5 Pledge of Allegiance led by Fleet White, Boulder High School, Boulder.  
6  
7 The roll was called with the following result:  
8  
9        Present--42.  
10        Excused--Representatives Buescher, Butcher, Carroll M., Clapp,  
11        Coleman, Gallegos, Garcia, Gardner, Hall, Hoppe, Judd, King,  
12        Massey, McFadyen, McGihon, Penry, Plant, Riesberg, Stafford,  
13        Vigil, Weissmann, Welker--22.  
14        Absent--Representatives Carroll T.--1.  
15        Present after roll call--Representatives Buescher, Butcher,  
16        Carroll M., Carroll T., Clapp, Coleman, Gallegos, Garcia,  
17        Gardner, Hall, Hoppe, Judd, King, Massey, McFadyen, McGihon,  
18        Penry, Plant, Riesberg, Stafford, Vigil, Weissmann, Welker.  
19

20 The Speaker declared a quorum present.  
21  
22

23 On motion of Representative Sullivan, the reading of the journal of  
24 April 27, 2006, was declared dispensed with and approved as corrected  
25 by the Chief Clerk.  
26  
27

**CONSIDERATION OF RESOLUTIONS**

31  
32 **SJR06-037** by Senator(s) Traylor; also Representative(s) Jahn--  
33 Concerning National Crime Victims' Rights Week.  
34

35 (Printed and placed in member's file.)  
36

37 On motion of Representative Jahn, the resolution was **adopted** by **viva**  
38 **voce** vote.  
39

40 Co-sponsors added: Roll Call of the House.  
41

42 **SJR06-034** by Senator(s) Windels; also Representative(s) Paccione--  
43 Concerning recognition of April 25, 2006, as "Equal Pay

1 Day", and, in connection therewith, encouraging  
 2 employers and citizens to recognize women's contributions  
 3 to the labor force.

4  
 5 (Printed and placed in member's file.)

6  
 7 On motion of Representative Paccione, the resolution was **adopted** by  
 8 the following roll call vote:

	YES	50	NO	05	EXCUSED	10	ABSENT	00
11	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
12	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
13	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
14	Borodkin	Y	Gardner	E	Lundberg	N	Rose	Y
15	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
16	Butcher	E	Hall	E	Marshall	Y	Solano	Y
17	Cadman	Y	Harvey	N	Massey	Y	Soper	Y
18	Carroll M	Y	Hefley	Y	May	N	Stafford	Y
19	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
20	Cerbo	Y	Hoppe	E	McFadyen	Y	Sullivan	Y
21	Clapp	Y	Jahn	Y	McGihon	E	Todd	Y
22	Cloer	Y	Judd	E	McKinley	Y	Vigil	E
23	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
24	Crane	Y	Kerr J	Y	Paccione	Y	Welker	N
25	Curry	Y	King	E	Penry	E	White	Y
26	Decker	Y	Knoedler	Y	Plant	E	Witwer	Y
27							Speaker	Y

28 Co-sponsors added: Representatives Benefield, Berens, Borodkin, Carroll M,  
 29 Carroll T, Clapp, Cloer, Coleman, Curry, Decker, Frangas, Gallegos, Green,  
 30 Hefley, Hodge, Kerr J, Knoedler, Larson, Lindstrom, Madden, Marshall,  
 31 McCluskey, McFadyen, McKinley, Merrifield, Pommer, Ragsdale, Rose,  
 32 Solano, Soper, Stafford, Stengel, Todd, Weissmann, White, Witwer, Speaker.

### CONSIDERATION OF MEMORIAL

34  
 35  
 36  
 37  
 38 **HM06-1003** by Representative(s) Coleman and Ragsdale and Soper--  
 39 Memorializing former Representative Charles DeMoulin.

40  
 41 (Printed and placed in member's file.)

42  
 43 On motion of Representative Coleman, the memorial was read at length.

44  
 45  
 46 Pursuant to House Rule 26(f) the House stood in recess to allow the  
 47 following former members to speak on behalf of the honorable Charles  
 48 "Chuck" DeMoulin: Former Representatives Jerry Kopel,  
 49 Miller Hudson, Frank Weddig.

50  
 51 On motion of Representative Coleman, the memorial was **adopted** by the  
 52 following roll call vote:

	YES	63	NO	00	EXCUSED	02	ABSENT	00
55	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
56	Benefield	Y	Gallegos	E	Lindstrom	Y	Ragsdale	Y

1	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
2	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
3	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
4	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
5	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
6	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
7	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
8	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
9	Clapp	Y	Jahn	Y	McGihon	E	Todd	Y
10	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
11	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
12	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
13	Curry	Y	King	Y	Penry	Y	White	Y
14	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
15							Speaker	Y

16 Co-sponsors added: Roll call of the House.

17 \_\_\_\_\_  
18  
19 House reconvened.  
20 \_\_\_\_\_  
21

## 22 **REPORTS OF COMMITTEES OF REFERENCE**

### 23 **APPROPRIATIONS**

24  
25 After consideration on the merits, the Committee recommends the  
26 following:  
27

28  
29 **HB06-1258** be postponed indefinitely.

30  
31  
32 **HB06-1307** be postponed indefinitely.

33  
34  
35 **HB06-1399** be referred to the Committee of the Whole with favorable  
36 recommendation.  
37

38  
39 **HB06-1400** be amended as follows, and as so amended, be referred to  
40 the Committee of the Whole with favorable  
41 recommendation:  
42

43 Amend the Agriculture, Livestock, and Natural Resources Committee  
44 Report, dated April 24, 2006, strike lines 2 through 18 and substitute the  
45 following:  
46

47 ""**SECTION 4.** 37-75-103 (1), Colorado Revised Statutes, is  
48 amended to read:  
49

50 **37-75-103. Director of compact negotiations.** (1) Within thirty  
51 days after June 7, 2005, the governor shall appoint a director of compact  
52 negotiations, ~~who~~ WHICH OFFICE IS HEREBY CREATED IN THE OFFICE OF  
53 THE GOVERNOR. THE DIRECTOR OF COMPACT NEGOTIATIONS shall act as  
54 the overseer and caretaker of the compact negotiations process  
55 established in this article.  
56

1           **SECTION 5.** 39-29-109 (1) (c) (I) (D) and (1) (c) (III) (A),  
2 Colorado Revised Statutes, are amended to read:

3  
4           **39-29-109. Severance tax trust fund - created - administration**  
5 **- use of moneys - repeal.** (1) (c) (I) For fiscal years commencing on and  
6 after July 1, 1997, the executive director of the department of natural  
7 resources shall submit with the department's budget request for each  
8 fiscal year a list and description of the programs the executive director  
9 recommends to be funded from the operational account of the severance  
10 tax trust fund. The state minerals, energy, and geology policy advisory  
11 board established pursuant to section 34-20-104, C.R.S., shall review the  
12 executive director's recommendation before submittal. The general  
13 assembly may appropriate moneys from the total moneys available in the  
14 operational account of the severance tax trust fund to fund recommended  
15 programs as follows:

16  
17           (D) For programs within the Colorado water conservation board  
18 AND FOR PURPOSES AUTHORIZED BY ARTICLE 75 OF TITLE 37, C.R.S., up  
19 to five percent of the moneys in the operational account.

20  
21           (III) (A) It is the intent of the general assembly that the  
22 operational account of the severance tax trust fund maintain a state fiscal  
23 year end balance equal to twice the current state fiscal year's operating  
24 appropriations for the programs specified in this paragraph (c); EXCEPT  
25 THAT MONEYS APPROPRIATED FOR PURPOSES AUTHORIZED BY ARTICLE 75  
26 OF TITLE 37, C.R.S., SHALL NOT BE CONSIDERED IN ESTABLISHING SUCH  
27 TWO-YEAR RESERVE. Moneys may be appropriated or otherwise made  
28 available from such two-year reserve only to offset temporary revenue  
29 reductions in the programs specified in this paragraph (c); except that, if  
30 the general assembly determines that transfers of moneys from the reserve  
31 are needed during a state revenue crisis, such transfers shall be a loan  
32 from the reserve to be repaid as soon as moneys are available. This  
33 provision is intended to mitigate the impact of fluctuations in the amount  
34 of revenue credited to the fund from year to year so as to maintain current  
35 levels of service for such programs.

36  
37           **SECTION 6. Appropriation.** (1) In addition to any other  
38 appropriation, there is hereby appropriated, out of any moneys in the  
39 operational account of the severance tax trust fund created in section  
40 39-29-109, Colorado Revised Statutes, not otherwise appropriated, to the  
41 office of the governor, for the director of compact negotiations, for the  
42 fiscal year beginning July 1, 2006, the sum of seventy-five thousand eight  
43 hundred thirty-seven dollars (\$75,837) and 0.5 FTE, or so much thereof  
44 as may be necessary, for the on-going implementation of article 75 of title  
45 37, Colorado Revised Statutes.

46  
47  
48           (2) In addition to any other appropriation, there is hereby  
49 appropriated, out of any moneys in the operational account of the  
50 severance tax trust fund created in section 39-29-109, Colorado Revised  
51 Statutes, not otherwise appropriated, to the department of natural  
52 resources, Colorado water conservation board, for the fiscal year  
53 beginning July 1, 2006, the sum of eight hundred fifty-five thousand four  
54 hundred eighty-one dollars (\$855,481) and 1.2 FTE, or so much thereof  
55 as may be necessary, for the on-going implementation of article 75 of title  
56 37, Colorado Revised Statutes, including basin roundtable meetings,

1 interbasin compact committee meetings, a water needs assessment  
2 refinement, and public education outreach.";

3

4 line 19, strike "(2)" and substitute "(3)" and strike "subsection (1)" and  
5 substitute "subsections (1) and (2)".

6

7

8

9 **HB06-1405** be referred to the Committee of the Whole with favorable  
10 recommendation.

11

12

13 **SB06-022** be referred to the Committee of the Whole with favorable  
14 recommendation.

15

16

17 **SB06-061** be amended as follows, and as so amended, be referred to  
18 the Committee of the Whole with favorable  
19 recommendation:

20

21 Amend reengrossed bill, page 12, line 9, after "(\$197,282)", insert "cash  
22 funds";

23

24 line 10, after "appropriated", insert "as cash funds exempt".

25

26

27

28 **SB06-065** be amended as follows, and as so amended, be referred to  
29 the Committee of the Whole with favorable  
30 recommendation:

31

32 Amend reengrossed bill, page 11, after line 18, insert the following:

33

34 **"SECTION 9.** Article 43.7 of title 22, Colorado Revised Statutes,  
35 is amended BY THE ADDITION OF A NEW PART to read:

36

37

## PART 2

38

39

### SCHOOL DISTRICT CAPITAL CONSTRUCTION NEEDS

40

41 **22-43.7-201. Grant applications.** (1) THE DEPARTMENT, IN  
42 ACCORDANCE WITH RULES PROMULGATED BY THE STATE BOARD, SHALL  
43 PERFORM, OR CONTRACT FOR THE PERFORMANCE OF, THE FOLLOWING  
44 DUTIES:

45

46 (a) REVIEW OF GRANT APPLICATIONS RECEIVED PURSUANT TO  
47 SECTION 22-43.7-105 AND 22-54-117;

48

49 (b) PREPARATION OF LISTS OF RECOMMENDED RECIPIENTS AND  
50 GRANT AMOUNTS FOR GRANTS MADE PURSUANT TO PART 2 OF THIS  
51 ARTICLE AND SECTION 22-54-117;

52

53 (c) DEVELOPMENT, IMPLEMENTATION, AND OVERSIGHT OF THE  
54 MAXIMUM FUNDING STANDARDS;

55

1 (d) ASSISTING SCHOOL DISTRICTS IN IDENTIFYING CRITICAL  
2 CAPITAL OUTLAY NEEDS AND IN PREPARING GRANT APPLICATIONS FOR  
3 SUBMITTAL PURSUANT TO SECTION 22-43.7-105 OR 22-54-117;

4  
5 (e) ASSISTING SCHOOL DISTRICTS IN IMPLEMENTING THE PROJECTS  
6 FOR WHICH GRANTS ARE MADE PURSUANT TO PART 1 OF THIS ARTICLE AND  
7 SECTION 22-54-117, INCLUDING ASSISTANCE WITH THE PREPARATION OF  
8 REQUESTS FOR BIDS OR PROPOSALS, CONTRACT NEGOTIATIONS, AND  
9 CONTRACT IMPLEMENTATION; AND

10  
11 (f) ASSISTING SCHOOL DISTRICTS TO ENSURE COST SAVINGS AND  
12 EFFICIENCIES FOR SCHOOL DISTRICTS THAT ARE NOT LARGE ENOUGH TO  
13 MAINTAIN THEIR OWN CONSTRUCTION MANAGEMENT STAFF.

14  
15 **SECTION 10.** 22-43.7-103 (2) and (3), Colorado Revised  
16 Statutes, are amended to read:

17  
18 **22-43.7-103. School construction and renovation fund -**  
19 **created - purpose - transfer of excess state revenues.** (2) (a) Subject  
20 to appropriation by the general assembly, moneys in the construction and  
21 renovation fund shall be used to provide matching grants to school  
22 districts that are undertaking qualified capital construction projects and  
23 for the expenses incurred by the state board in administering this ~~article~~  
24 PART 1. The state board shall determine the proportion of the state and  
25 local funds to be used to finance the qualified capital construction project  
26 and the amount of each grant using the criteria established pursuant to  
27 section 22-43.7-106.

28  
29 (b) SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY,  
30 MONEYS IN THE CONSTRUCTION AND RENOVATION FUND SHALL BE USED  
31 TO OFFSET THE COSTS INCURRED BY THE DEPARTMENT IN PERFORMING, OR  
32 CONTRACTING FOR THE PERFORMANCE OF, THE DUTIES DESCRIBED IN  
33 SECTION 22-43.7-201.

34  
35 (3) Matching grants from the construction and renovation fund  
36 shall not be authorized if the capital construction project has not been  
37 evaluated by the state board and included on the prioritized list prepared  
38 by the state board pursuant to this ~~article~~ PART 1."

39  
40 Renumber succeeding sections accordingly.

41  
42 Page 12, strike line 13 and 14 and substitute the following:

43  
44 **"SECTION 12. Appropriation - adjustments to the 2006 long**  
45 **bill.** (1) In addition to any other appropriation, there is hereby  
46 appropriated, out of any moneys in the school construction and renovation  
47 fund established in section 22-43.7-103 (1), Colorado Revised Statutes,  
48 not otherwise appropriated, to the department of education, assistance to  
49 public schools, grant programs and other distributions, for the  
50 performance of or the contracting for the performance of the duties  
51 specified in section 22-43.7-201, Colorado Revised Statutes, for the fiscal  
52 year beginning July 1, 2006, the sum of one hundred ten thousand nine  
53 hundred thirty-four dollars (\$110,934), or so much thereof as may be  
54 necessary, for the implementation of this act.

1 (2) For the implementation of this act, appropriations made in the  
2 annual general appropriation act for the fiscal year beginning July 1,  
3 2006, shall be adjusted as follows: The cash funds exempt appropriation  
4 to the department of education, assistance to public schools, grant  
5 programs and other distributions, for the purpose of providing matching  
6 grants to school districts pursuant to section 22-43.7-105, Colorado  
7 Revised Statutes, is decreased by one hundred ten thousand nine hundred  
8 thirty-four dollars (\$110,934). Said sum shall be from the school  
9 construction and renovation fund established in section 22-43.7-103 (1),  
10 Colorado Revised Statutes.

11  
12 (3) In addition to any other appropriation, there is hereby  
13 appropriated, out of any moneys in the school construction and renovation  
14 fund established in section 22-43.7-103 (1), Colorado Revised Statutes,  
15 not otherwise appropriated, 8.0 FTE, or so much as may be necessary, to  
16 the department of education for the management of the grants program  
17 and to provide technical assistance.

18  
19 **SECTION 13. Effective date.** (1) This act shall take effect July  
20 1, 2006; except that:

21  
22 (1) Sections 1, 2, 3, and 11 of this act shall not take effect if  
23 House Bill 06-1402 is enacted at the Second Regular Session of the  
24 Sixty-fifth General Assembly and becomes law; and

25  
26 (2) Sections 9, 10, and 12 of this section shall take effect only if  
27 House Bill 06-1402 is enacted at the Second Regular Session of the  
28 Sixty-fifth General Assembly and becomes law."

29  
30 Renumber succeeding section accordingly.

31  
32  
33  
34 **SB06-073** be referred to the Committee of the Whole with favorable  
35 recommendation.

36  
37  
38 **SB06-128** be referred to the Committee of the Whole with favorable  
39 recommendation.

40  
41  
42 **SB06-130** be amended as follows, and as so amended, be referred to  
43 the Committee of the Whole with favorable  
44 recommendation:

45  
46 Amend reengrossed bill, page 2, line 10, after "AWARD" insert "ATLEAST  
47 TEN THOUSAND DOLLARS";

48  
49 line 11, strike "SERVICES THE GREATER OF AN AMOUNT" and substitute  
50 "SERVICES.";

51  
52 strike lines 12 through 18.

53  
54  
55

1 **SB06-131** be amended as follows, and as so amended, be referred to  
2 the Committee of the Whole with favorable  
3 recommendation:  
4

5 Amend reengrossed bill, page 5, strike lines 24 through 27.  
6

7 Page 6, strike lines 1 through 12.  
8

9 Renumber succeeding sections accordingly.  
10

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**SB06-136** be referred to the Committee of the Whole with favorable  
recommendation.

**SB06-148** be amended as follows, and as so amended, be referred to  
the Committee of the Whole with favorable  
recommendation:

Amend reengrossed bill, page 7, strike lines 8 through 15.

Renumber succeeding section accordingly.

Page 1, line 102, strike "AGENCIES, AND MAKING AN" and substitute  
"AGENCIES.";

strike line 103.

**SB06-165** be amended as follows, and as so amended, be referred to  
the Committee of the Whole with favorable  
recommendation:

Amend reengrossed bill, page 12, strike lines 19 through 27 and  
substitute the following:

"(a) The appropriation to the executive director's office, for  
personal services, is increased by twenty-seven thousand eighty-six  
dollars (\$27,086) and 1.0 FTE. Said sum shall be from the general fund  
and subject to the "(M)" notation as defined in the general appropriation  
act. In addition to said appropriation, the general assembly anticipates  
that, for the fiscal year beginning July 1, 2006, the department of health  
care policy and financing will receive the sum of twenty-seven thousand  
eighty-five dollars (\$27,085) in federal funds for the implementation of  
this act. Although these federal funds are not appropriated in this act,  
they are noted for the purpose of indicating the assumptions used relative  
to these funds.

(b) The appropriation to the executive director's office, for  
operating expenses, is increased by one thousand nine hundred thirty-  
seven dollars (\$1,937). Said sum shall be from the general fund and  
subject to the "(M)" notation as defined in the general appropriation act.  
In addition to said appropriation, the general assembly anticipates that, for  
the fiscal year beginning July 1, 2006, the department of health care



1 policy and financing will receive the sum of one thousand nine hundred  
 2 thirty-eight dollars (\$1,938) in federal funds for the implementation of  
 3 this act. Although these federal funds are not appropriated in this act,  
 4 they are noted for the purpose of indicating the assumptions used relative  
 5 to these funds.

6  
 7 (c) The appropriation for the executive director's office, for the  
 8 medicaid management information system, is increased by thirteen  
 9 thousand three hundred nineteen dollars (\$13,319). Said sum shall be  
 10 from the general fund and subject to the "(M)" notation as defined in the  
 11 general appropriation act. In addition to said appropriation, the general  
 12 assembly anticipates that, for the fiscal year beginning July 1, 2006, the  
 13 department of health care policy and financing will receive the sum of  
 14 thirty-nine thousand nine hundred sixty-one dollars (\$39,961) in federal  
 15 funds for the implementation of this act. Although these federal funds are  
 16 not appropriated in this act, they are noted for the purpose of indicating  
 17 the assumptions used relative to these funds.

18  
 19 (d) The appropriation for the medical services premiums is  
 20 increased by one hundred sixty-one thousand two hundred sixteen dollars  
 21 (\$161,216). Said sum shall be from the general fund and subject to the  
 22 "(M)" notation as defined in the general appropriation act. In addition to  
 23 said appropriation, the general assembly anticipates that, for the fiscal  
 24 year beginning July 1, 2006, the department of health care policy and  
 25 financing will receive the sum of one hundred sixty-one thousand two  
 26 hundred fifteen dollars (\$161,215) in federal funds for the  
 27 implementation of this act. Although these federal funds are not  
 28 appropriated in this act, they are noted for the purpose of indicating the  
 29 assumptions used relative to these funds."

30  
 31 Page 13, strike lines 1 and 2.

32  
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 34  
 35 **SB06-170** be referred to the Committee of the Whole with favorable  
 36 recommendation.

37  
 38  
 39  
 40 **SB06-173** be amended as follows, and as so amended, be referred to  
 41 the Committee of the Whole with favorable  
 42 recommendation:

43  
 44 Amend reengrossed bill, page 2, before line 1, insert the following:

45  
 46 **"SECTION 1.** 2-2-307 (5), Colorado Revised Statutes, is  
 47 amended to read:

48  
 49 **2-2-307. Compensation of members - reimbursement of**  
 50 **expenses.** (5) Members of the general assembly shall be entitled to  
 51 reimbursement for all actual and necessary travel expenses incurred for  
 52 vehicle travel ~~within the member's district~~ while attending to legislative  
 53 business, which expenses are not otherwise paid or reimbursed under any  
 54 other provision of this part 3. Mileage rates shall not exceed those  
 55 authorized for the executive department."  
 56

1 Renumber succeeding sections accordingly.

2

3 Page 3, strike line 23 and substitute the following:

4

5 "(f) (I) NOTWITHSTANDING PARAGRAPHS (a), (b), AND (c) OF".

6

7 Page 4, after line 2, insert the following:

8

9 "(II) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT A  
10 DEPARTMENT OR AGENCY REALIZE SAVINGS BY REDUCING THE MILES  
11 DRIVEN AND ESTABLISHING HIGHER EFFICIENCIES AND USE THE SAVINGS  
12 FOR THE PURPOSE OF MEETING THE INCREASED MILEAGE ALLOWANCE  
13 SPECIFIED IN PARAGRAPHS (a), (b), AND (c) OF THIS SUBSECTION (2).

14

15 (III) EACH DEPARTMENT OR AGENCY SHALL SUBMIT TO THE JOINT  
16 BUDGET COMMITTEE BY SEPTEMBER 1, 2006, SEPTEMBER 1, 2007, AND  
17 SEPTEMBER 1, 2008, A PLAN REGARDING THE IMPLEMENTATION OF  
18 PARAGRAPHS (a), (b), AND (c) OF THIS SUBSECTION (2) WITHIN THE  
19 EXISTING RESOURCES OF THEIR DEPARTMENT OR AGENCY, INCLUDING ANY  
20 EFFICIENCIES, REDUCED TRAVEL, AND REQUESTS FOR TRANSFERS WITHIN  
21 THE EXISTING APPROVED APPROPRIATIONS.";

22

23 strike line 3 and substitute the following:

24

25 "(IV) THIS PARAGRAPH (f) IS REPEALED, EFFECTIVE JANUARY 1,";

26

27 strike line 5 and substitute the following:

28

29 "**SECTION 3. Effective date - applicability.** (1) Section 1 of  
30 this act shall take effect July 1, 2007, and shall apply to reimbursement  
31 requests submitted on or after said date.

32

33 (2) The remainder of this act shall take effect upon passage and  
34 shall apply to mileage".

35

36

37

38 **SB06-206** be referred to the Committee of the Whole with favorable  
39 recommendation.

40

41

42 **SB06-218** be amended as follows, and as so amended, be referred to  
43 the Committee of the Whole with favorable  
44 recommendation:

45

46 Amend reengrossed bill, page 3, line 2, strike "**Appropriation.**" and  
47 substitute "**Appropriation - Adjustment to the 2006 Long Bill.** (1)";

48

49 line 9, strike "and said sum, or so much thereof as may be" and substitute  
50 "cash funds.";

51

52 strike lines 10 through 12 and substitute the following:

53

54 "(2) For the implementation of this act, appropriations made in the  
55 annual general appropriation act for the fiscal year beginning July 1,  
56 2006, to the department of regulatory agencies, public utilities

1 commission, transfer to commission for the deaf and hard of hearing cash  
 2 fund, is decreased by twenty-five thousand dollars (\$25,000) cash funds  
 3 from the Colorado disabled telephone users fund created in section 40-17-  
 4 104 (1), C.R.S.

5

6 **SECTION 4. Appropriation - Amendment to Long Bill Letter**  
 7 **note.** Part XVIII (7), Letternote a, as enacted by House Bill 06-1385,  
 8 enacted at the Second Regular Session of the Sixty-fifth General  
 9 Assembly, is amended to read:

10

11 Section 2. **Appropriation.** <sup>a</sup> Of this amount, it is estimated that  
 12 \$7,102,442 shall be from the Public Utilities Commission Fixed Utility  
 13 Fund created in Section 40-2-114, C.R.S., ~~\$2,352,123~~ \$2,327,123 shall  
 14 be from the Colorado Disabled Telephone Users Fund created in Section  
 15 40-17-104 (1), C.R.S., \$1,575,190 shall be from the Public Utilities  
 16 Commission Motor Carrier Fund created in Section 40-2-110.5 (6),  
 17 C.R.S., and \$107,046 shall be from the Colorado High Cost  
 18 Administration Fund created in Section 40-15-208 (3), C.R.S. Of this  
 19 amount, \$2,670,283 is shown for purposes of complying with the  
 20 limitation on state fiscal year spending imposed by Section 20 of Article  
 21 X of the State Constitution. Such moneys are included for informational  
 22 purposes as they are continuously appropriated by Section 40-17-104 (1),  
 23 C.R.S".

24

25 Renumber succeeding section accordingly.

26

27

28

29 **SCR06-001** be amended as follows, and as so amended, be referred to  
 30 the Committee of the Whole with favorable  
 31 recommendation:

32

33 Amend reengrossed concurrent resolution, page 2, line 7, after "(1)",  
 34 insert "and (3)".

35

36 Page 3, after line 25, insert the following:

37

38 "(3) For any property tax year commencing on or after January 1,  
 39 2002, the general assembly shall compensate each local governmental  
 40 entity that receives property tax revenues for the net amount of property  
 41 tax revenues lost as a result of the property tax exemption provided for  
 42 in this section. For purposes of section 20 of article X of this  
 43 constitution, such compensation shall not be included in local  
 44 government fiscal year spending. ~~and approval~~ APPROVAL of this section  
 45 by the voters statewide shall constitute a voter-approved revenue change  
 46 to allow the maximum amount of state fiscal year spending for the  
 47 2001-02 state fiscal year to be increased by forty-four million one  
 48 hundred twenty-three thousand six hundred four dollars and to include  
 49 said amount in state fiscal year spending for said state fiscal year for the  
 50 purpose of calculating subsequent state fiscal year spending limits;  
 51 EXCEPT THAT, FOR THE 2006-07 STATE FISCAL YEAR AND FOR EACH STATE  
 52 FISCAL YEAR THEREAFTER, COMPENSATION PAID TO EACH LOCAL  
 53 GOVERNMENTAL ENTITY THAT RECEIVES PROPERTY TAX REVENUES FOR  
 54 THE NET AMOUNT OF PROPERTY TAX REVENUES LOST AS A RESULT OF THE  
 55 PROPERTY TAX EXEMPTION PROVIDED FOR IN THIS SECTION SHALL NOT BE  
 56 INCLUDED IN STATE FISCAL YEAR SPENDING, AND THE STATE SHALL

1 INSTEAD BE PERMITTED TO RETAIN AND SPEND REVENUES ABOVE THE  
 2 EXCESS STATE REVENUES CAP FOR THE FISCAL YEAR CALCULATED  
 3 PURSUANT TO SECTION 24-77-103.6 (6) (b) (I) (B), COLORADO REVISED  
 4 STATUTES, AS THAT SECTION EXISTED ON THE EFFECTIVE DATE OF THIS  
 5 SUBSECTION (3), AS AMENDED, IN AN AMOUNT EQUAL TO THE AMOUNT OF  
 6 SUCH COMPENSATION PAID DURING THE FISCAL YEAR. Payments made  
 7 from the state general fund to compensate local governmental entities for  
 8 property tax revenues lost as a result of the property tax exemption  
 9 provided for in this section shall not be subject to any statutory limitation  
 10 on general fund appropriations because the enactment of this section by  
 11 the people of Colorado constitutes voter approval of a weakening of any  
 12 such limitation."

13

14 Page 4, line 7, strike "DISABILITY."" and substitute "DISABILITY, AND, IN  
 15 CONNECTION THEREWITH, AUTHORIZING THE STATE TO RETAIN AND SPEND  
 16 EXCESS STATE REVENUES ABOVE THE STATUTORY EXCESS STATE  
 17 REVENUES CAP IN AN AMOUNT EQUAL TO THE AMOUNT PAID ANNUALLY BY  
 18 THE STATE TO COMPENSATE EACH LOCAL GOVERNMENTAL ENTITY THAT  
 19 RECEIVES PROPERTY TAX REVENUES FOR THE NET AMOUNT OF PROPERTY  
 20 TAX REVENUES LOST AS A RESULT OF THE PROPERTY TAX EXEMPTION FOR  
 21 QUALIFYING SENIORS AND DISABLED VETERANS?"".

22

23 Page 1, line 107, strike "DISABILITY." and substitute "**DISABILITY, AND,  
 24 IN CONNECTION THEREWITH, AUTHORIZING THE STATE TO RETAIN AND  
 25 SPEND EXCESS STATE REVENUES ABOVE THE STATUTORY EXCESS STATE  
 26 REVENUES CAP IN AN AMOUNT EQUAL TO THE AMOUNT PAID ANNUALLY  
 27 BY THE STATE TO COMPENSATE EACH LOCAL GOVERNMENTAL ENTITY  
 28 THAT RECEIVES PROPERTY TAX REVENUES FOR THE NET AMOUNT OF  
 29 PROPERTY TAX REVENUES LOST AS A RESULT OF THE PROPERTY TAX  
 30 EXEMPTION FOR QUALIFYING SENIORS AND DISABLED VETERANS.**"

31

32

33

34

### 35 **EDUCATION**

36 After consideration on the merits, the Committee recommends the  
 37 following:

38

39 **HB06-1358** be amended as follows, and as so amended, be rereferred  
 40 to the Committee on Appropriations with favorable  
 41 recommendation:

42

43 Strike the Education Committee Report, dated March 9, 2006.

44

45 Amend printed bill, strike everything below the enacting clause and  
 46 substitute the following:

47

48 **"SECTION 1.** Title 22, Colorado Revised Statutes, is amended  
 49 **BY THE ADDITION OF A NEW ARTICLE** to read:

50

51

### 52 **ARTICLE 35.5**

53

#### 54 **Middle College Program**

55

56 **22-35.5-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND  
 MAY BE CITED AS THE "MIDDLE COLLEGE PROGRAM ACT".

1           **22-35.5-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
2 CONTEXT OTHERWISE REQUIRES:

3  
4           (1) "COLLEGE OPPORTUNITY FUND STIPEND" SHALL HAVE THE  
5 SAME DEFINITION AS PROVIDED FOR THE TERM "STIPEND" IN SECTION  
6 23-18-102 (11), C.R.S.

7  
8           (2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION  
9 CREATED PURSUANT TO SECTION 24-1-115, C.R.S.

10  
11           (3) "FULL-TIME EQUIVALENT STUDENT" MEANS A FUNDING UNIT  
12 EQUAL TO THE COST OF TUITION FOR A STUDENT ENROLLED FULL-TIME IN  
13 AN INSTITUTION OF HIGHER EDUCATION.

14  
15           (4) "INSTITUTION OF HIGHER EDUCATION" MEANS A  
16 STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION THAT OFFERS A  
17 TWO-YEAR DEGREE PROGRAM IN ACCORDANCE WITH ITS ROLE AND  
18 MISSION, A JUNIOR COLLEGE THAT IS PART OF A JUNIOR COLLEGE DISTRICT  
19 ORGANIZED PURSUANT TO ARTICLE 71 OF TITLE 23, C.R.S., OR AN AREA  
20 VOCATIONAL SCHOOL.

21  
22           (5) "MIDDLE COLLEGE FUNDING AMOUNT" MEANS THE PER-PUPIL  
23 AMOUNT OF FUNDING CALCULATED AND PAID TO PARTICIPATING  
24 EDUCATION ENTITIES PURSUANT TO SECTION 22-35.5-104 (3) (b) FOR  
25 STUDENTS PARTICIPATING IN A LOCAL MIDDLE COLLEGE PROGRAM AFTER  
26 THE FOURTH YEAR OF HIGH SCHOOL.

27  
28           (6) "PARTICIPATING EDUCATION ENTITY" MEANS A SCHOOL  
29 DISTRICT OR CHARTER SCHOOL OR THE STATE CHARTER SCHOOL INSTITUTE  
30 THAT OPERATES AN APPROVED LOCAL MIDDLE COLLEGE PROGRAM  
31 PURSUANT TO SECTION 22-35.5-104.

32  
33           (7) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION  
34 CREATED IN SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

35  
36           (8) "TRUST FUND" MEANS THE STATE MIDDLE COLLEGE TRUST  
37 FUND CREATED PURSUANT TO SECTION 22-35.5-105.

38  
39           **22-35.5-103. State middle college program - created - student**  
40 **participation positions - rules.** (1) THERE IS HEREBY CREATED THE  
41 STATE MIDDLE COLLEGE PROGRAM TO ALLOW UP TO FIVE HUNDRED  
42 FULL-TIME EQUIVALENT STUDENTS EACH ACADEMIC YEAR TO ENROLL IN  
43 AN INSTITUTION OF HIGHER EDUCATION WHILE ENROLLED IN THE FIFTH OR  
44 SUBSEQUENT YEAR OF HIGH SCHOOL THROUGH LOCAL MIDDLE COLLEGE  
45 PROGRAMS APPROVED BY THE DEPARTMENT PURSUANT TO SECTION  
46 22-35.5-104 (4). THE GOAL OF THE STATE MIDDLE COLLEGE PROGRAM IS  
47 TO PROVIDE STATE FUNDING TO ENABLE STUDENTS, WHO WOULD  
48 OTHERWISE BE LIKELY TO DROP OUT OF HIGH SCHOOL OR DECLINE TO  
49 CONTINUE INTO HIGHER EDUCATION AFTER HIGH SCHOOL, TO COMPLETE  
50 AN ASSOCIATES DEGREE OR A CAREER AND TECHNICAL EDUCATION  
51 CERTIFICATE WHILE SIMULTANEOUSLY COMPLETING HIGH SCHOOL  
52 GRADUATION REQUIREMENTS.

53  
54           (2) (a) THE STATE BOARD SHALL ADOPT RULES FOR ALLOCATING  
55 TO PARTICIPATING EDUCATION ENTITIES THE STUDENT PARTICIPATION  
56 POSITIONS FUNDED THROUGH THE STATE MIDDLE COLLEGE PROGRAM.

1 PURSUANT TO THE ALLOCATION RULES, THE DEPARTMENT SHALL  
2 ALLOCATE A SPECIFIED NUMBER OF STUDENT PARTICIPATION POSITIONS  
3 FOR EACH OF YEARS ONE THROUGH FOUR OF HIGH SCHOOL AND  
4 POST-FOURTH YEAR. IN ALLOCATING THE POSITIONS, THE RULES SHALL  
5 TAKE INTO ACCOUNT THE NUMBER OF STUDENTS PARTICIPATING IN DUAL  
6 HIGH SCHOOL AND HIGHER EDUCATION ENROLLMENT PROGRAMS AS OF THE  
7 EFFECTIVE DATE OF THIS ARTICLE. THE RULES SHALL PROVIDE THAT, BY  
8 THE 2011-12 ACADEMIC YEAR, THE TOTAL NUMBER OF FUNDED STUDENT  
9 PARTICIPATION POSITIONS IN THE STATE MIDDLE COLLEGE PROGRAM ARE  
10 ALLOCATED AS EVENLY AS PRACTICABLE ACROSS YEARS ONE THROUGH  
11 FOUR OF HIGH SCHOOL AND POST-FOURTH YEAR. THE RULES SHALL ALSO  
12 PROVIDE THAT, TO THE EXTENT POSSIBLE, THE FUNDED STUDENT  
13 PARTICIPATION POSITIONS ARE DISTRIBUTED TO PARTICIPATING  
14 EDUCATION ENTITIES THROUGHOUT THE STATE.

15  
16 (b) THE DEPARTMENT SHALL ANNUALLY ALLOCATE TO EACH  
17 PARTICIPATING EDUCATION ENTITY A SPECIFIED NUMBER OF STUDENT  
18 PARTICIPATION POSITIONS FOR EACH OF YEARS ONE THROUGH FOUR OF  
19 HIGH SCHOOL AND POST-FOURTH YEAR, AS PROVIDED BY RULE OF THE  
20 STATE BOARD. THE ALLOCATION RULES SHALL ENSURE THAT THE  
21 STUDENT PARTICIPATION POSITIONS ARE ALLOCATED AMONG  
22 PARTICIPATING EDUCATION ENTITIES IN SUCH A MANNER AS TO PROVIDE  
23 THAT EACH STUDENT WHO PARTICIPATES IN A LOCAL MIDDLE COLLEGE  
24 PROGRAM IN ONE ACADEMIC YEAR HAS THE OPPORTUNITY TO PARTICIPATE  
25 IN THE FOLLOWING ACADEMIC YEAR, UNTIL THE STUDENT COMPLETES THE  
26 LOCAL MIDDLE COLLEGE PROGRAM.

27  
28 (c) IN ALLOCATING THE STUDENT PARTICIPATION POSITIONS, THE  
29 DEPARTMENT, AT A MINIMUM, SHALL CONSIDER:

30  
31 (I) THE NUMBER OF STUDENTS ENROLLED IN THE PARTICIPATING  
32 EDUCATION ENTITY'S MIDDLE COLLEGE PROGRAM IN THE PRECEDING  
33 ACADEMIC YEAR;

34  
35 (II) THE QUALITY AND RIGOR OF THE PARTICIPATING EDUCATION  
36 ENTITY'S MIDDLE COLLEGE PROGRAM, INCLUDING BUT NOT LIMITED TO THE  
37 ACADEMIC PARTICIPATION REQUIREMENTS AND THE NUMBER OF REQUIRED  
38 CREDITS;

39  
40 (III) THE LEVEL OF STUDENT NEED WITHIN THE PARTICIPATING  
41 EDUCATION ENTITY, AS MEASURED BY THE EDUCATION ENTITY'S  
42 GRADUATION AND DROPOUT RATES, THE NUMBER OF STUDENTS IN THE  
43 EDUCATION ENTITY ENROLLED IN ADVANCED PLACEMENT AND  
44 INTERNATIONAL BACCALAUREATE PROGRAMS, THE PERCENTAGE OF HIGH  
45 SCHOOL STUDENTS ENROLLED IN THE EDUCATION ENTITY WHO ARE  
46 ELIGIBLE FOR FREE OR REDUCED-COST LUNCH PURSUANT TO THE  
47 PROVISIONS OF THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C.  
48 SEC. 1751 ET SEQ., AND OTHER FACTORS SPECIFIED BY RULE OF THE STATE  
49 BOARD; AND

50  
51 (IV) THE DEGREE TO WHICH ALLOCATION OF THE STUDENT  
52 PARTICIPATION POSITIONS TO THE PARTICIPATING EDUCATION ENTITY IS  
53 LIKELY TO RESULT IN PROVIDING OPPORTUNITIES FOR POSTSECONDARY  
54 EDUCATION THAT THE PARTICIPATING STUDENTS OTHERWISE WOULD  
55 PROBABLY NOT RECEIVE.

56

1 (d) THE DEPARTMENT SHALL ANNUALLY DISTRIBUTE MONEYS  
2 FROM THE TRUST FUND TO PARTICIPATING EDUCATION ENTITIES AS  
3 PROVIDED IN SECTION 22-35.5-105 (3). IN EACH ACADEMIC YEAR, A  
4 PARTICIPATING EDUCATION ENTITY SHALL NOT ENROLL IN ITS LOCAL  
5 MIDDLE COLLEGE PROGRAM A NUMBER OF STUDENTS THAT EXCEEDS THE  
6 NUMBER OF STUDENT PARTICIPATION POSITIONS ALLOCATED TO THE  
7 PARTICIPATING EDUCATION ENTITY FOR THAT ACADEMIC YEAR.

8  
9 (3) THE STATE BOARD, PURSUANT TO THE "STATE  
10 ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, C.R.S.,  
11 SHALL PROMULGATE RULES AS NECESSARY FOR THE IMPLEMENTATION OF  
12 THIS ARTICLE.

13  
14 **22-35.5-104. Local middle college programs - creation -**  
15 **requirements - approval.** (1) (a) AN EDUCATION ENTITY THAT CHOOSES  
16 TO PARTICIPATE IN THE STATE MIDDLE COLLEGE PROGRAM SHALL CREATE  
17 A LOCAL MIDDLE COLLEGE PROGRAM BY ENTERING INTO AN AGREEMENT,  
18 AS DESCRIBED IN PARAGRAPH (b) OF THIS SUBSECTION (1), WITH ONE OR  
19 MORE INSTITUTIONS OF HIGHER EDUCATION. A LOCAL MIDDLE COLLEGE  
20 PROGRAM SHALL ALLOW FOR STUDENTS ENROLLED IN ANY YEAR OF HIGH  
21 SCHOOL TO PARTICIPATE IN THE PROGRAM. IN EACH ACADEMIC YEAR IN  
22 WHICH A STUDENT PARTICIPATES IN A LOCAL MIDDLE COLLEGE PROGRAM  
23 DURING THE STUDENT'S FIRST FOUR YEARS OF HIGH SCHOOL, THE STUDENT  
24 SHALL BE ENROLLED AS A FULL-TIME STUDENT TAKING A SUFFICIENT  
25 NUMBER OF HIGH SCHOOL CREDITS, HIGHER EDUCATION CREDITS, OR A  
26 COMBINATION OF BOTH, TO RESULT IN AT LEAST ONE THOUSAND EIGHTY  
27 HOURS OF TEACHER-PUPIL CONTACT FOR THE ACADEMIC YEAR.

28  
29 (b) AT A MINIMUM, A LOCAL MIDDLE COLLEGE AGREEMENT SHALL  
30 SPECIFY:

31  
32 (I) THE NUMBER OF HIGH SCHOOL AND HIGHER EDUCATION  
33 CREDITS REQUIRED TO COMPLETE THE PROGRAM, IN ACCORDANCE WITH  
34 SUBSECTION (2) OF THIS SECTION;

35  
36 (II) ANY STUDENT ELIGIBILITY OR PARTICIPATION REQUIREMENTS  
37 THAT THE EDUCATION ENTITY AND THE INSTITUTION OF HIGHER  
38 EDUCATION DEEM APPROPRIATE; AND

39  
40 (III) THE FUNDING PROVISIONS FOR STUDENTS WHO PARTICIPATE  
41 IN THE LOCAL MIDDLE COLLEGE PROGRAM, IN ACCORDANCE WITH THE  
42 PROVISIONS OF SUBSECTION (3) OF THIS SECTION.

43  
44 (2) A LOCAL MIDDLE COLLEGE AGREEMENT SHALL SPECIFY THE  
45 NUMBER OF HIGH SCHOOL CREDITS AND THE NUMBER OF HIGHER  
46 EDUCATION CREDITS THAT A PARTICIPATING STUDENT SHALL EARN TO  
47 RECEIVE A HIGH SCHOOL DIPLOMA AND AN ASSOCIATES DEGREE OR A  
48 CERTIFICATE OF CAREER AND TECHNICAL EDUCATION UPON SUCCESSFUL  
49 COMPLETION OF THE LOCAL MIDDLE COLLEGE PROGRAM. A LOCAL MIDDLE  
50 COLLEGE PROGRAM MAY NOT REQUIRE MORE THAN SIXTY HIGHER  
51 EDUCATION CREDITS, AND A STUDENT WHO PARTICIPATES IN A LOCAL  
52 MIDDLE COLLEGE PROGRAM MAY NOT EARN MORE THAN THIRTY HIGHER  
53 EDUCATION CREDITS AFTER HIS OR HER FOURTH YEAR OF HIGH SCHOOL.

54  
55 (3) (a) FOR PURPOSES OF DETERMINING THE PARTICIPATING  
56 EDUCATION ENTITY'S FUNDING PURSUANT TO ARTICLE 54 OF THIS TITLE,

1 THE EDUCATION ENTITY SHALL INCLUDE IN ITS PUPIL ENROLLMENT OR ITS  
2 ON-LINE PUPIL ENROLLMENT, WHICHEVER IS APPLICABLE, EACH STUDENT  
3 WHO IS ENROLLED IN THE FIRST FOUR YEARS OF HIGH SCHOOL AND IS  
4 PARTICIPATING IN THE LOCAL MIDDLE COLLEGE PROGRAM.

5  
6 (b) EACH PARTICIPATING EDUCATION ENTITY SHALL RECEIVE  
7 MIDDLE COLLEGE FUNDING THROUGH THE STATE MIDDLE COLLEGE  
8 PROGRAM FOR EACH STUDENT PARTICIPATING IN THE LOCAL MIDDLE  
9 COLLEGE PROGRAM AFTER THE STUDENT'S FOURTH YEAR OF HIGH SCHOOL.  
10 THE PER-PUPIL AMOUNT OF MIDDLE COLLEGE FUNDING RECEIVED BY A  
11 PARTICIPATING EDUCATION ENTITY SHALL BE EQUAL TO THE AMOUNT OF  
12 TUITION PAID BY THE EDUCATION ENTITY ON BEHALF OF THE STUDENT,  
13 LESS ANY AMOUNT OF A COLLEGE OPPORTUNITY FUND STIPEND RECEIVED  
14 BY THE INSTITUTION OF HIGHER EDUCATION ON BEHALF OF THE STUDENT,  
15 MULTIPLIED BY TWO.

16  
17 (c) (I) THE PARTICIPATING EDUCATION ENTITY SHALL PAY THE  
18 FULL TUITION AMOUNT FOR EACH STUDENT WHO IS PARTICIPATING IN THE  
19 LOCAL MIDDLE COLLEGE PROGRAM, MINUS THE AMOUNT OF THE COLLEGE  
20 OPPORTUNITY FUND STIPEND, IF ANY, RECEIVED BY THE HIGHER  
21 EDUCATION INSTITUTION ON BEHALF OF THE STUDENT. THE TUITION  
22 AMOUNT FOR EACH STUDENT WHO PARTICIPATES IN THE LOCAL MIDDLE  
23 COLLEGE PROGRAM SHALL BE CALCULATED AT THE IN-STATE TUITION  
24 RATE.

25  
26 (II) EACH STUDENT WHO PARTICIPATES IN THE LOCAL MIDDLE  
27 COLLEGE PROGRAM SHALL SIGN A PROMISE TO REPAY THE AMOUNT OF  
28 TUITION PAID BY THE EDUCATION ENTITY ON THE STUDENT'S BEHALF IF  
29 THE STUDENT, FOR ANY REASON AND WITHOUT CONSENT OF THE PRINCIPAL  
30 OF THE HIGH SCHOOL IN WHICH THE STUDENT IS ENROLLED, FAILS OR  
31 OTHERWISE DOES NOT COMPLETE THE HIGHER EDUCATION COURSE FOR  
32 WHICH THE EDUCATION ENTITY PAID TUITION.

33  
34 (III) IF A STUDENT, FOR ANY REASON AND WITHOUT CONSENT OF  
35 THE PRINCIPAL OF THE HIGH SCHOOL IN WHICH THE STUDENT IS ENROLLED,  
36 FAILS OR OTHERWISE DOES NOT COMPLETE THE COURSE, IT SHALL BE THE  
37 RESPONSIBILITY OF THE STUDENT OR THE STUDENT'S PARENT OR  
38 GUARDIAN TO REPAY THE AMOUNT OF TUITION PAID BY THE EDUCATION  
39 ENTITY, AS PROVIDED IN THE PROMISE SIGNED PURSUANT TO  
40 SUBPARAGRAPH (II) OF THIS PARAGRAPH (c). THE EDUCATION ENTITY  
41 SHALL TRANSFER THE AMOUNT OF ANY REPAYMENT RECEIVED PURSUANT  
42 TO THIS SUBPARAGRAPH (III) TO THE STATE TREASURER WHO SHALL  
43 CREDIT THE AMOUNT TO THE TRUST FUND.

44  
45 (d) IN ADDITION TO THE TUITION AMOUNT, THE PARTICIPATING  
46 EDUCATION ENTITY SHALL PAY THE AMOUNT NECESSARY FOR STUDENT  
47 FEES AND BOOKS FOR EACH STUDENT PARTICIPATING IN THE LOCAL  
48 MIDDLE COLLEGE PROGRAM AFTER THE STUDENT'S FOURTH YEAR OF HIGH  
49 SCHOOL AND SHALL PROVIDE COUNSELING AT THE HIGH SCHOOL LEVEL  
50 FOR EACH SUCH STUDENT.

51  
52 (4) TO RECEIVE FUNDING AND ALLOCATIONS OF STUDENT  
53 PARTICIPATION POSITIONS THROUGH THE STATE MIDDLE COLLEGE  
54 PROGRAM, AN EDUCATION ENTITY SHALL SUBMIT A DESCRIPTION OF ITS  
55 LOCAL MIDDLE COLLEGE PROGRAM TO THE DEPARTMENT FOR REVIEW AND  
56 APPROVAL BY THE STATE BOARD. THE STATE BOARD SHALL APPROVE



1 EACH LOCAL MIDDLE COLLEGE PROGRAM SUBMITTED PURSUANT TO THIS  
2 SUBSECTION (4) SO LONG AS THE LOCAL MIDDLE COLLEGE PROGRAM  
3 COMPLIES WITH THE REQUIREMENTS SPECIFIED IN THIS ARTICLE.  
4

5 **22-35.5-105. State middle college trust fund - creation - annual**  
6 **appropriation - distribution of funds.** (1) (a) THERE IS HEREBY  
7 CREATED IN THE STATE TREASURY THE STATE MIDDLE COLLEGE TRUST  
8 FUND. BEGINNING IN THE 2006-07 BUDGET YEAR AND FOR EACH BUDGET  
9 YEAR THEREAFTER THROUGH THE 2010-11 BUDGET YEAR, THE GENERAL  
10 ASSEMBLY SHALL ANNUALLY APPROPRIATE AT LEAST TWO MILLION  
11 DOLLARS TO THE TRUST FUND. FOR THE 2011-12 BUDGET YEAR AND  
12 BUDGET YEARS THEREAFTER, THE GENERAL ASSEMBLY SHALL  
13 APPROPRIATE MONEYS TO THE TRUST FUND AS NECESSARY TO MEET THE  
14 REQUIREMENTS OF SUBSECTION (2) OF THIS SECTION. THE MONEYS IN THE  
15 TRUST FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE  
16 GENERAL ASSEMBLY TO THE DEPARTMENT AS PROVIDED IN SUBSECTION (2)  
17 OF THIS SECTION.  
18

19 (b) ANY MONEYS IN THE TRUST FUND NOT EXPENDED FOR THE  
20 PURPOSE OF THIS ARTICLE SHALL BE INVESTED BY THE STATE TREASURER  
21 AS PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE  
22 INVESTMENT AND DEPOSIT OF MONEYS IN THE TRUST FUND SHALL BE  
23 CREDITED TO THE TRUST FUND. ANY UNEXPENDED AND UNENCUMBERED  
24 MONEYS REMAINING IN THE TRUST FUND AT THE END OF A FISCAL YEAR  
25 SHALL REMAIN IN THE TRUST FUND AND SHALL NOT BE CREDITED OR  
26 TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.  
27

28 (2) (a) AS PART OF THE ANNUAL BUDGET PROCESS, THE  
29 DEPARTMENT SHALL REPORT TO THE JOINT BUDGET COMMITTEE THE  
30 ANTICIPATED NUMBER OF FULL-TIME EQUIVALENT STUDENTS EXPECTED TO  
31 BE ENROLLED IN THE COMING BUDGET YEAR IN APPROVED LOCAL MIDDLE  
32 COLLEGE PROGRAMS BEYOND THE FOURTH YEAR OF HIGH SCHOOL. THE  
33 GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE FROM THE TRUST  
34 FUND TO THE DEPARTMENT AN AMOUNT SUFFICIENT TO FUND THE  
35 PER-PUPIL MIDDLE COLLEGE FUNDING AMOUNT MULTIPLIED BY THE  
36 ANTICIPATED NUMBER OF FULL-TIME EQUIVALENT STUDENTS REPORTED BY  
37 THE DEPARTMENT FOR THE COMING BUDGET YEAR; EXCEPT THAT THE  
38 GENERAL ASSEMBLY SHALL NOT APPROPRIATE FUNDING FOR MORE THAN  
39 FIVE HUNDRED FULL-TIME EQUIVALENT STUDENTS IN ANY BUDGET YEAR.  
40

41 (b) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE TO  
42 THE DEPARTMENT FROM THE TRUST FUND AN AMOUNT EQUAL TO UP TO  
43 TWO PERCENT OF THE AMOUNT APPROPRIATED FOR THE BUDGET YEAR  
44 PURSUANT TO PARAGRAPH (a) OF THIS SECTION TO OFFSET THE  
45 ADMINISTRATIVE COSTS INCURRED IN ADMINISTERING THE STATE MIDDLE  
46 COLLEGE PROGRAM.  
47

48 (3) THE DEPARTMENT SHALL ANNUALLY DISTRIBUTE TO EACH  
49 PARTICIPATING EDUCATION ENTITY AN AMOUNT EQUAL TO THE PER-PUPIL  
50 MIDDLE COLLEGE FUNDING AMOUNT MULTIPLIED BY THE NUMBER OF  
51 STUDENT PARTICIPATION POSITIONS ALLOCATED FOR THAT BUDGET YEAR  
52 TO THE PARTICIPATING EDUCATION ENTITY FOR STUDENTS ENROLLED IN  
53 THE LOCAL MIDDLE COLLEGE PROGRAM AFTER THE FOURTH YEAR OF HIGH  
54 SCHOOL.  
55

1           **SECTION 2.** 22-35-104 (1), Colorado Revised Statutes, is  
2 amended to read:

3  
4           **22-35-104. Enrollment in institution of higher education -**  
5 **cooperative agreement.** (1) (a) Any pupil who is not more than  
6 twenty-one years old, ~~and~~ who is enrolled in the eleventh or twelfth grade  
7 of a school district, as defined in section 22-30-103 (13), WHO, AS OF  
8 OCTOBER 1 OF THE APPLICABLE ACADEMIC YEAR, HAS NOT COMPLETED  
9 THE STANDARD GRADUATION REQUIREMENTS SPECIFIED BY THE SCHOOL  
10 DISTRICT, and who is deemed by the pupil and the pupil's parent or legal  
11 guardian, with the advice and counsel of the principal of the high school  
12 in which such pupil is enrolled, to be in need of course work at a higher  
13 academic level than that available at the pupil's school or is deemed by  
14 the high school to be in need of a different environment is eligible to  
15 apply to an institution of higher education to allow such pupil to enroll in  
16 such institution in accordance with the provisions of this article. The  
17 school district shall notify all students and parents of the opportunity for  
18 postsecondary enrollment. This notification shall be given with sufficient  
19 time to allow the students and parents to consider this option.

20  
21           (b) FOR PURPOSES OF THIS SECTION, "STANDARD GRADUATION  
22 REQUIREMENTS" MEANS THE MINIMUM REQUIREMENTS SPECIFIED BY A  
23 SCHOOL DISTRICT FOR A HIGH SCHOOL STUDENT TO RECEIVE A STANDARD  
24 HIGH SCHOOL DIPLOMA THAT DOES NOT INCORPORATE COMPLETION OF  
25 ANY POSTSECONDARY CERTIFICATE OR DEGREE.

26  
27           **SECTION 3. Safety clause.** The general assembly hereby finds,  
28 determines, and declares that this act is necessary for the immediate  
29 preservation of the public peace, health, and safety."

30  
31  
32  
33 **HB06-1403** be amended as follows, and as so amended, be referred to  
34 the Committee on Appropriations with favorable  
35 recommendation:

36  
37 Amend printed bill, page 2, line 10, strike "IT IS IMPORTANT FOR";

38  
39 line 11, strike "TO BE ABLE TO PERFORM A".

40  
41 Page 3, line 1, strike "COMPREHENSIVE REVIEW OF" and substitute  
42 "CONTINUALLY EVALUATE";

43  
44 strike lines 4 through 27.

45  
46 Page 4, strike lines 1 through 12 and substitute the following:

47           "(b) THE DAY-TO-DAY FISCAL AND OPERATIONAL PRESSURES THAT  
48 A SCHOOL DISTRICT FACES RAISE MANY OBSTACLES TO EDUCATION  
49 PROGRAM REFORM;

50  
51           (c) A SCHOOL DISTRICT NEEDS PLANNING RESOURCES AND  
52 INCENTIVES TO TAKE A NEW, COMPREHENSIVE LOOK AT OPERATIONS IN  
53 EARLY EDUCATION FOR BEGINNING STUDENTS, THE MOST EFFECTIVE  
54 PROGRAMS IN SECONDARY EDUCATION FOR GRADUATING STUDENTS, AND  
55 THE BEST OVERALL EDUCATION PROGRAMS FOR ALL STUDENTS IN ALL  
56 GRADES.";

1 line 15, strike "INCENTIVES FOR SELECTED SCHOOL";

2

3 line 16, strike "DISTRICTS TO" and substitute "FINANCIAL ASSISTANCE TO  
4 SELECTED SCHOOLS DISTRICTS AS AN INCENTIVE TO ANALYZE AND";

5

6 line 18, after the period, add "THE INTENT OF THE DEMONSTRATION  
7 PROJECT IS TO PROVIDE SCHOOL DISTRICTS THE FLEXIBILITY TO ANALYZE  
8 CURRENT PROGRAM AND COURSE OFFERINGS AND RESOURCE ALLOCATIONS  
9 FROM PRESCHOOL THROUGH TWELFTH GRADE AND TO MAKE PROGRAM  
10 ADJUSTMENTS IN ALL GRADES TO IMPROVE OUTCOMES FOR STUDENTS,  
11 INCLUDING PROVIDING AND ENHANCING ACTIVITIES SUCH AS  
12 INTERNATIONAL BACCALAUREATE PROGRAMS OR ADVANCED PLACEMENT  
13 COURSES, OPPORTUNITIES TO PARTICIPATE IN REAL-WORLD INTERNSHIPS  
14 AND SERVICE-LEARNING PROJECTS, AND OPPORTUNITIES TO BEGIN HIGHER  
15 EDUCATION STUDIES WHILE STILL ENROLLED IN HIGH SCHOOL."

16

17 Page 5, line 18, after "EDUCATION", insert "THE FINANCIAL FLEXIBILITY".

18

19 Page 6, strike lines 14 through 26.

20

21 Reletter succeeding paragraphs accordingly.

22

23 Page 7, strike lines 11 through 13.

24

25 Reletter succeeding paragraphs accordingly.

26

27 Page 8, line 7, strike "(2)" and substitute "(3)";

28

29 after line 7, insert the following:

30

31 "(2) IN ADDITION TO THE INFORMATION SPECIFIED IN SUBSECTION  
32 (1) OF THIS SECTION AND ANY OTHER INFORMATION SPECIFIED BY RULE OF  
33 THE STATE BOARD, AN APPLYING SCHOOL DISTRICT MAY INCLUDE DATA OR  
34 NARRATIVE INFORMATION IN ITS APPLICATION THAT ASSISTS THE SCHOOL  
35 DISTRICT IN DEMONSTRATING THE NEED FOR THE REFORM OF EDUCATION  
36 PROGRAMS WITHIN THE SCHOOL DISTRICT AND THE BENEFITS OF  
37 EXPANDING EXISTING EDUCATION PROGRAMS WITHIN THE SCHOOL  
38 DISTRICT."

39

40 Renumber succeeding subsections accordingly.

41

42 Page 8, strike lines 14 through 27.

43

44 Page 9, strike lines 1 through 4 and substitute the following:

45

46 "(I) THE NUMBER OF CHILDREN ENROLLED IN PRESCHOOL AND  
47 HALF-DAY AND FULL-DAY KINDERGARTEN PROGRAMS IN THE SCHOOL  
48 DISTRICT AND THE NUMBER OF CHILDREN IN THE SCHOOL DISTRICT ON A  
49 WAITING LIST FOR ENROLLMENT IN THE PROGRAMS;

50

51 "(II) THE NUMBER OF ADVANCED PLACEMENT COURSES OFFERED AT  
52 EACH HIGH SCHOOL IN THE SCHOOL DISTRICT OR THE NUMBER OF  
53 INTERNATIONAL BACCALAUREATE PROGRAMS OFFERED AT HIGH SCHOOLS  
54 IN THE SCHOOL DISTRICT AND THE DISTRICT-WIDE NUMBER AND  
55 PERCENTAGE OF STUDENTS ENROLLED IN THE COURSES OR PROGRAMS;

56

1 (III) THE TYPES AND NUMBER OF VOCATIONAL OR TECHNICAL  
2 EDUCATION PROGRAMS AVAILABLE AT EACH HIGH SCHOOL IN THE SCHOOL  
3 DISTRICT AND IN THE SCHOOL DISTRICT AS A WHOLE AND THE  
4 DISTRICT-WIDE NUMBER AND PERCENTAGE OF STUDENTS ENROLLED IN THE  
5 PROGRAMS;

6  
7 (IV) THE ANTICIPATED PERCENTAGE OF STUDENTS ENROLLED IN  
8 THE SCHOOL DISTRICT, BY GRADE LEVEL, THAT WILL BENEFIT FROM THE  
9 RESTRUCTURING OF EDUCATIONAL PROGRAMS; AND

10  
11 (V) THE SCHOOL DISTRICT'S PLAN FOR SUSTAINING THE  
12 RESTRUCTURED EDUCATIONAL PROGRAMS.

13  
14 (b) THE DEPARTMENT SHALL ALSO TAKE INTO CONSIDERATION ANY  
15 OTHER DATA CURRENTLY REPORTED BY THE SCHOOL DISTRICT PURSUANT  
16 TO LAW OR RULE THAT ILLUSTRATES THE NEED FOR IMPROVEMENT WITHIN  
17 THE SCHOOL DISTRICT, INCLUDING BUT NOT LIMITED TO THE SCHOOL  
18 DISTRICT'S GRADUATION RATES, THE PERCENTAGE OF AT-RISK STUDENTS  
19 ENROLLED IN THE SCHOOL DISTRICT, THE ACADEMIC PERFORMANCE OF  
20 AT-RISK STUDENTS ON CSAP ASSESSMENTS AND ON THE STANDARDIZED,  
21 CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAMINATION  
22 ADMINISTERED PURSUANT TO SECTION 22-7-409 (1.5), AND THE  
23 ACHIEVEMENT OF ANNUAL YEARLY PROGRESS WITHIN THE SCHOOL  
24 DISTRICT."

25  
26 Reletter succeeding paragraph accordingly.

27  
28 Page 9, line 11, strike "(2)" and substitute "(3)".

29  
30  
31  
32 **SB06-046** be referred favorably to the Committee on Appropriations.

33  
34  
35 **SB006-069** be amended as follows, and as so amended, be referred to  
36 the Committee of the Whole with favorable  
37 recommendation:

38  
39 Amend reengrossed bill, page 2, strike lines 3 through 8 and substitute the  
40 following:

41  
42 "SECTION 1. 22-7-605 (4) (b) (II) (A), (4) (c), and (4) (d),  
43 Colorado Revised Statutes, are amended to read:"

44  
45 Page 3, strike lines 1 through 8 and substitute the following:

46  
47 "22-7-605. School accountability reports - format. (4) Title  
48 page. Information described in paragraphs (a) to (d)";

49  
50 line 9, strike "(c.7)".

51  
52 Page 4, strike lines 7 through 27.

53  
54 Page 5, strike lines 1 through 16;

55  
56 line 21, strike "portions" and substitute "portion";

- 1 strike lines 22 through 24 and substitute the following:  
2  
3 "22-7-605 (5) (c), and 22-7-605 (5) (c) (III) and";  
4  
5 line 25, strike "(5) (d) (I) (C), and (5) (e),".  
6  
7 Page 7, strike lines 12 through 26.  
8  
9 Page 8, strike lines 14 through 27.  
10  
11 Page 9, strike lines 1 through 6;  
12  
13 strike lines 8 and 9 and substitute the following:  
14  
15 "22-7-605 (6) (d) (IV), (7) (b) (I), (7) (d) (I), and (7) (d) (III),";  
16  
17 line 10, strike "(VI),";  
18  
19 strike lines 23 through 27.  
20  
21 Page 10, strike lines 1 through 20.  
22  
23 Page 12, strike lines 10 through 27.  
24  
25 Page 13, strike lines 1 through 25.  
26  
27 Renumber succeeding sections accordingly.  
28  
29 Page 13, line 26, strike "(9) (c)," and substitute "and";  
30  
31 line 27, strike "and (10)," and, strike "amended" and substitute "amended,  
32 and the said 22-7-605 (9) (b) is further amended BY THE ADDITION  
33 OF A NEW SUBPARAGRAPH,".  
34  
35 Page 14, strike lines 12 through 22 and substitute the following:  
36  
37 "(XI) (A) IMMEDIATELY BELOW THE TABLE DESCRIBED IN  
38 SUBPARAGRAPHS (IX) AND (X) SHALL CONTAIN THE FOLLOWING  
39 STATEMENT: "ACCREDITATION IS THE STATE'S MOST ALL-ENCOMPASSING  
40 ACCOUNTABILITY SYSTEM, MEASURING TWELVE DIFFERENT INDICATORS  
41 INCLUDING ACADEMIC AREAS BOTH TESTED AND NOT TESTED BY CSAP,  
42 SCHOOL SAFETY, AND BUDGET COMPLIANCE. THE STATE ACCREDITS  
43 DISTRICTS, AND DISTRICTS, IN TURN, ACCREDIT INDIVIDUAL SCHOOLS.  
44  
45 (B) IMMEDIATELY BELOW THE STATEMENT DESCRIBED IN  
46 SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (XI) SHALL APPEAR A  
47 COLUMN CONTAINING THE STATEMENT: "ACCREDITATION STATUS FOR  
48 THE [YEAR] - [YEAR] SCHOOL YEAR". TO THE RIGHT OF THAT STATEMENT  
49 IN A BOX SHALL APPEAR THE APPROPRIATE ACCREDITATION STATUS FOR  
50 THE APPLICABLE SCHOOL YEAR."  
51  
52 Page 15, strike lines 6 through 27.  
53  
54 Page 16, strike lines 1 through 3.  
55  
56 Renumber succeeding section accordingly.

1 **SB06-111** be amended as follows, and as so amended, be referred to  
2 the Committee on Appropriations with favorable  
3 recommendation:  
4

5 Amend reengrossed bill, page 5, line 23, strike "C.R.S." and substitute  
6 "C.R.S.";

7  
8 line 24, strike "(a)" and substitute "(b)".  
9

10 Reletter succeeding paragraph accordingly.  
11

12 Page 6, line 1, strike "C.R.S." and substitute "C.R.S."  
13  
14  
15  
16

17 **FINANCE**

18 After consideration on the merits, the Committee recommends the  
19 following:  
20

21 **HB06-1398** be amended as follows, and as so amended, be referred to  
22 the Committee of the Whole with favorable  
23 recommendation:  
24

25 Amend printed bill, page 4, strike lines 2 through 5 and substitute the  
26 following:  
27

28 "A FEE RETAINED BY VENDORS FOR THE COLLECTION AND REMITTANCE OF  
29 THE TAX PURSUANT TO SECTION 39-26-105 (1) AND LESS REFUNDS AND  
30 ADJUSTMENTS MADE BY THE DEPARTMENT OF REVENUE IN CONJUNCTION  
31 WITH ITS COLLECTION AND ENFORCEMENT DUTIES UNDER THIS ARTICLE.";

32  
33 line 16, strike "TREASURY." and substitute "TREASURY AND SHALL BE  
34 ADMINISTERED BY THE STATE TREASURER."  
35

36 Page 5, line 8, strike "ON AT LEAST A MONTHLY BASIS,"  
37

38 Page 6, line 2, strike "(III)" and substitute "(VI)";  
39

40 after line 6, insert the following:  
41

42 "(I) IF THE REVENUE ESTIMATE PREPARED BY THE STAFF OF THE  
43 LEGISLATIVE COUNCIL IN SEPTEMBER OF STATE FISCAL YEAR 2006-07  
44 INDICATES THAT THE AMOUNT OF TOTAL GENERAL FUND REVENUES FOR  
45 THE STATE FISCAL YEAR WILL BE SUFFICIENT TO MAINTAIN THE FOUR  
46 PERCENT RESERVE REQUIRED BY SECTION 24-75-201.1 (1) (d) (III), C.R.S.,  
47 ON OCTOBER 15, 2006, THE STATE TREASURER SHALL TRANSFER FROM THE  
48 SALES AND USE TAX HOLDING FUND TO THE HIGHWAY USERS TAX FUND AN  
49 AMOUNT EQUAL TO THE LESSER OF:  
50

51 (A) TWENTY-FIVE PERCENT OF THE AMOUNT ESTIMATED IN THE  
52 SEPTEMBER REVENUE ESTIMATE TO BE ACCRUED AND TRANSFERRED TO  
53 THE HIGHWAY USERS TAX FUND PURSUANT TO THIS SECTION FOR THE  
54 ENTIRE FISCAL YEAR; OR  
55  
56

1 (B) THE BALANCE OF THE SALES AND USE TAX HOLDING FUND.

2  
3 (II) IF THE REVENUE ESTIMATE PREPARED BY THE STAFF OF THE  
4 LEGISLATIVE COUNCIL IN DECEMBER OF STATE FISCAL YEAR 2006-07  
5 INDICATES THAT THE AMOUNT OF TOTAL GENERAL FUND REVENUES FOR  
6 THE STATE FISCAL YEAR WILL BE SUFFICIENT TO MAINTAIN THE FOUR  
7 PERCENT RESERVE REQUIRED BY SECTION 24-75-201.1 (1) (d) (III), C.R.S.,  
8 ON FEBRUARY 1 OF THE FISCAL YEAR THE STATE TREASURER SHALL  
9 TRANSFER FROM THE SALES AND USE TAX HOLDING FUND TO THE HIGHWAY  
10 USERS TAX FUND AN AMOUNT EQUAL TO THE LESSER OF:

11  
12 (A) THE AMOUNT NEEDED TO ENSURE THAT THE CUMULATIVE  
13 AMOUNT TRANSFERRED FROM THE SALES AND USE TAX HOLDING FUND TO  
14 THE HIGHWAY USERS TAX FUND THROUGH FEBRUARY 1, 2007, EQUALS  
15 FIFTY PERCENT OF THE AMOUNT ESTIMATED IN THE DECEMBER REVENUE  
16 ESTIMATE TO BE ACCRUED AND TRANSFERRED TO THE HIGHWAY USERS  
17 TAX FUND PURSUANT TO THIS SECTION FOR THE ENTIRE FISCAL YEAR; OR

18  
19 (B) THE BALANCE OF THE SALES AND USE TAX HOLDING FUND.

20  
21 (III) IF THE REVENUE ESTIMATE PREPARED BY THE STAFF OF THE  
22 LEGISLATIVE COUNCIL IN MARCH OF STATE FISCAL YEAR 2006-07  
23 INDICATES THAT THE AMOUNT OF TOTAL GENERAL FUND REVENUES FOR  
24 THE STATE FISCAL YEAR WILL BE SUFFICIENT TO MAINTAIN THE FOUR  
25 PERCENT RESERVE REQUIRED BY SECTION 24-75-201.1 (1) (d) (III), C.R.S.,  
26 ON APRIL 15, 2007 THE STATE TREASURER SHALL TRANSFER FROM THE  
27 SALES AND USE TAX HOLDING FUND TO THE HIGHWAY USERS TAX FUND  
28 THE LESSER OF:

29  
30 (A) THE AMOUNT NEEDED TO ENSURE THAT THE CUMULATIVE  
31 AMOUNT TRANSFERRED FROM THE SALES AND USE TAX HOLDING FUND TO  
32 THE HIGHWAY USERS TAX FUND THROUGH APRIL 15 EQUALS SEVENTY-FIVE  
33 PERCENT OF THE AMOUNT ESTIMATED IN THE MARCH REVENUE ESTIMATE  
34 TO BE ACCRUED AND TRANSFERRED TO THE HIGHWAY USERS TAX FUND  
35 PURSUANT TO THIS SECTION FOR THE ENTIRE FISCAL YEAR; OR

36  
37 (B) THE BALANCE OF THE SALES AND USE TAX HOLDING FUND."

38  
39 Renumber succeeding subparagraphs accordingly.

40  
41 Page 6, line 8, strike "2006-07" and substitute "2007-08";

42  
43 line 22, strike "2006-07" and substitute "2007-08".

44  
45 Page 7, line 14, strike "(III)" and substitute "(VI)";

46  
47 line 23, strike "(III)" and substitute "(VI)".

48  
49 Page 8, line 3, strike "(III)" and substitute "(VI)".

50  
51  
52  
53  
54  
55

1 **JUDICIARY**

2 After consideration on the merits, the Committee recommends the  
3 following:

4  
5 **HCR06-1013** be postponed indefinitely.

6  
7  
8 **HJR06-1030** be postponed indefinitely.

9  
10  
11 **SB06-004** be referred to the Committee of the Whole with favorable  
12 recommendation.

13  
14  
15 **SB06-081** be referred favorably to the Committee on Appropriations.

16  
17  
18 **SB06-150** be amended as follows, and as so amended, be referred to  
19 the Committee on Appropriations with favorable  
20 recommendation:

21  
22 Amend reengrossed bill, page 2, line 10, strike "2006," and substitute  
23 "2007,";

24  
25 line 21, strike "2006." and substitute "2007.".

26  
27 Page 3, line 5, strike "2006." and substitute "2007.";

28  
29 line 7, strike "2006." and substitute "2007.".

30  
31 Page 8, line 17, strike ""**19-2-925.6.**" and substitute "**19-2-925.6.**";

32  
33 line 18, strike "2006," and substitute "2007,".

34  
35 Page 9, line 3, strike "2006." and substitute "2007.";

36  
37 line 11, strike "2006." and substitute "2007.";

38  
39 line 12, strike "2006" and substitute "2007,".

40  
41 Page 11, line 19, strike "16-11-102.3," and substitute "~~16-11-102.3~~";

42  
43 line 20, after "~~16-11-104, 16-11-204.3~~", insert "16-11-102.4,".

44  
45  
46  
47 **PRINTING REPORT**

48  
49 The Chief Clerk reports the following bills have been correctly printed:  
50 **HB06-1408, 1409, 1410; HCR06-1014.**

51  
52  
53  
54  
55



1                                   **MESSAGE FROM THE SENATE**

2  
3 The Senate has passed on Third Reading and transmitted to the Revisor  
4 of Statutes:

5  
6 **HB06-1281**, amended on Third Reading, April 27, 2006, as printed in the  
7 Senate Journal.

8  
9 The Senate has postponed indefinitely **HB06-1389** and **HB-06-1170** The  
10 bills are returned herewith.

11  
12  
13  
14                                   **THIRD READING OF BILLS--FINAL PASSAGE**

15  
16 The following bills were considered on Third Reading. The titles were  
17 publicly read. Reading of the bill at length was dispensed with by  
18 unanimous consent.

19  
20 **HB06-1050** by Representative(s) Buescher; also Senator(s) Sandoval--  
21 Concerning the creation of a budget stabilization fund,  
22 and, in connection therewith, requiring the appropriation  
23 of general fund moneys and the crediting of portions of  
24 general fund surplus and tobacco settlement moneys to the  
25 budget stabilization fund under specified circumstances  
26 and allowing appropriations from the budget stabilization  
27 fund under other specified circumstances.

28  
29 The question being "Shall the bill pass?".

30 A roll call vote was taken. As shown by the following recorded vote, a  
31 majority of those elected to the House voted in the affirmative and the bill  
32 was declared **passed**.

33  
34

	YES	56	NO	08	EXCUSED	01	ABSENT	00
35	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
36	Benefield	Y	Gallegos	Y	Lindstrom	N	Ragsdale	Y
37	Berens	E	Garcia	N	Liston	Y	Riesberg	N
38	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
39	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
40	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
41	Cadman	N	Harvey	Y	Massey	Y	Soper	Y
42	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
43	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
44	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
45	Clapp	Y	Jahn	N	McGihon	Y	Todd	Y
46	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
47	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
48	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
49	Curry	Y	King	Y	Penry	Y	White	Y
50	Decker	N	Knoedler	Y	Plant	Y	Witwer	Y
51							Speaker	Y

52 Co-sponsors added: Representatives Benefield, Borodkin, Carroll M, Coleman,  
53 Crane, Gardner, Hall, Knoedler, Larson, Madden, Massey, May, McCluskey,  
54 McGihon, Paccione, Penry, Pommer, Rose, Todd, Vigil, White, Witwer,  
55 Speaker.

56

1 **HB06-1302** by Representative(s) Stengel; also Senator(s) Gordon--  
 2 Concerning auto emissions testing and making an  
 3 appropriation therefor.  
 4

5 The question being "Shall the bill pass?".  
 6 A roll call vote was taken. As shown by the following recorded vote, a  
 7 majority of those elected to the House voted in the affirmative and the bill  
 8 was declared **passed**.  
 9

	YES	58	NO	07	EXCUSED	00	ABSENT	00
11	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
12	Benefield	Y	Gallegos	Y	Lindstrom	N	Ragsdale	Y
13	Berens	Y	Garcia	N	Liston	Y	Riesberg	Y
14	Borodkin	N	Gardner	Y	Lundberg	Y	Rose	Y
15	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
16	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
17	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
18	Carroll M	N	Hefley	Y	May	Y	Stafford	Y
19	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
20	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
21	Clapp	Y	Jahn	Y	McGihon	N	Todd	Y
22	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
23	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	N
24	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
25	Curry	Y	King	Y	Penry	Y	White	Y
26	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
27							Speaker	Y

28 Co-sponsors added: Representatives Crane, Decker, Gardner, Hefley, Kerr J,  
 29 Knoedler, Larson, Liston, Madden, Penry, Schultheis, Witwer.  
 30

31 **HB06-1283** by Representative(s) Merrifield, Paccione, Benefield,  
 32 Pommer, Solano, Todd; also Senator(s) Windels--  
 33 Concerning a requirement that each school district spend  
 34 at least a specified percentage of its total operational  
 35 expenditures on services that directly affect student  
 36 achievement, and making an appropriation therefor.  
 37

38 The question being "Shall the bill pass?".  
 39 A roll call vote was taken. As shown by the following recorded vote, a  
 40 majority of those elected to the House voted in the affirmative and the bill  
 41 was declared **passed**.  
 42

	YES	34	NO	31	EXCUSED	00	ABSENT	00
44	Balmer	N	Frangas	Y	Larson	N	Pommer	Y
45	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
46	Berens	N	Garcia	Y	Liston	N	Riesberg	Y
47	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
48	Buescher	N	Green	Y	Madden	Y	Schultheis	N
49	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
50	Cadman	N	Harvey	Y	Massey	N	Soper	Y
51	Carroll M	Y	Hefley	N	May	N	Stafford	N
52	Carroll T	Y	Hodge	Y	McCluskey	N	Stengel	N
53	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	N
54	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
55	Cloer	N	Judd	Y	McKinley	Y	Vigil	Y
56	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	N

1	Crane	N	Kerr J	N	Paccione	Y	Welker	N
2	Curry	Y	King	N	Penry	N	White	N
3	Decker	N	Knoedler	N	Plant	Y	Witwer	N
4							Speaker	Y

5 Co-sponsors added: Representatives Borodkin, Coleman, Kerr A, Vigil.

6  
7  
8 On motion of Representative Madden, **HB06-1393, 1406, 1407, 1399,**  
9 **1400, 1405, 1398** were added to the Special Orders Calendar on Friday,  
10 April 28, 2006.

11  
12  
13 On motion of Representative Todd, the House resolved itself into  
14 Committee of the Whole for consideration of Special Orders and she was  
15 called to the Chair to act as Chairman.

### 16 17 18 **SPECIAL ORDERS--SECOND READING OF BILLS**

19  
20 The Committee of the Whole having risen, the Chairman reported the  
21 titles of the following bills had been read (reading at length had been  
22 dispensed with by unanimous consent), the bills considered and action  
23 taken thereon as follows:

24  
25 (Amendments to the committee amendment are to the printed committee  
26 report which was printed and placed in the members' bill file.)

27  
28 **HB06-1393** by Representative(s) Curry, Buescher; also Senator(s)  
29 Isgar--Concerning the use of severance tax revenues by the  
30 department of agriculture for the natural resources  
31 conservation matching grants program.

32  
33 Amendment No. 1, Finance Report, dated April 12, 2006, and placed in  
34 member's bill file; Report also printed in House Journal, April 13, page  
35 1200.

36  
37 As amended, ordered engrossed and placed on the Calendar for Third  
38 Reading and Final Passage.

39  
40 **HB06-1406** by Representative(s) Solano; also Senator(s) Boyd--  
41 Concerning the regulation of electronic devices that are  
42 designed to cause traffic lights to change.

43  
44 Ordered engrossed and placed on the Calendar for Third Reading and  
45 Final Passage.

46  
47 **HB06-1407** by Representative(s) Pommer; also Senator(s) Boyd--  
48 Concerning workers' compensation coverage for an  
49 independent contractor working as a driver.

50  
51 Ordered engrossed and placed on the Calendar for Third Reading and  
52 Final Passage.

53  
54 **HB06-1399** by Representative(s) Hall, Plant, Buescher; also Senator(s)  
55 Tapia, Keller, Owen--Concerning the authority to use a  
56 percentage of stipend spending authority to purchase

1 postsecondary educational services if authorized by a fee-  
2 for-service contract.

3  
4 Amendment No. 1, Finance Report, dated April 26, 2006, and placed in  
5 member's bill file; Report also printed in House Journal, April 26,  
6 page 1509.

7  
8 As amended, ordered engrossed and placed on the Calendar for Third  
9 Reading and Final Passage.

10  
11 **HB06-1400** by Representative(s) Buescher, Penry, Curry; also  
12 Senator(s) Isgar--Concerning interbasin compacts, and, in  
13 connection therewith, approving the interbasin compact  
14 charter and altering the boundaries that define certain  
15 western slope basin roundtables.

16  
17 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,  
18 dated April 24, 2006, and placed in member's bill file; Report also printed  
19 in House Journal, April 25, page 1453.

20  
21 Amendment No. 2, Appropriations Report, dated April 28, 2006, and  
22 placed in member's bill file; Report also printed in House Journal, April  
23 28, pages 1509-1511.

24  
25 As amended, ordered engrossed and placed on the Calendar for Third  
26 Reading and Final Passage.

27  
28 **HB06-1405** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
29 Tapia, Keller, Owen--Concerning a supplemental  
30 appropriation to capital construction.

31  
32 Ordered engrossed and placed on the Calendar for Third Reading and  
33 Final Passage.

34  
35 **HB06-1398** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
36 Owen, Keller, Tapia--Concerning clarification of the  
37 manner in which the transfer of net revenue of the state  
38 sales and use tax to specified funds as currently authorized  
39 by law is to be administered.

40  
41 Amendment No. 1, Finance Report, dated April 27, 2006, and placed in  
42 member's bill file; Report also printed in House Journal, April 28, pages  
43 1528-1529.

44  
45 As amended, ordered engrossed and placed on the Calendar for Third  
46 Reading and Final Passage.

47  
48 **SB06-114** by Senator(s) Kester, Brophy, Taylor, Tochtrop; also  
49 Representative(s) **Gardner**--Concerning the expansion of  
50 anaerobic controls to allow additional technologies to be  
51 used in the operation of housed commercial swine feeding  
52 operations.

53  
54 Laid over until May 1, retaining place on Calendar.

55  
56

1 **SB06-015** by Senator(s) Taylor, Hanna, Takis; also Representative(s)  
2 Coleman, Schultheis, Vigil, White--Concerning a  
3 clarification of the types of motor vehicles included in the  
4 centralized fleet of state vehicles, and making an  
5 appropriation therefor.  
6

7 Amendment No. 1, Appropriations Report, dated April 21, 2006, and  
8 placed in member's bill file; Report also printed in House Journal, April  
9 21, pages 1418-1419.

10  
11 Amendment No. 2, by Representative Weissmann.

12  
13 Amend the Appropriations Committee Report, dated April 21, 2006, line  
14 2, strike "MORE"." and substitute "MORE, THAT IS A SPECIALIZED VEHICLE  
15 USED FOR THE PURPOSES OF CONSTRUCTION OR MAINTENANCE, AND".".

16  
17 Amendment No. 3, by Representative Plant.

18  
19 Amend reengrossed bill, page 3, after line 18, insert the following:

20  
21 "SECTION 3. 24-30-1104 (2), Colorado Revised Statutes, is  
22 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

23  
24 **24-30-1104. Central services functions of the department.**  
25 (2) In addition to the county-specific functions set forth in subsection (1)  
26 of this section, the department of personnel shall take such steps as are  
27 necessary to fully implement a central state motor vehicle fleet system by  
28 January 1, 1993. The provisions of the motor vehicle fleet system created  
29 pursuant to this subsection (2) shall apply to the executive branch of the  
30 state of Colorado, its departments, institutions, and agencies; except that  
31 the governing board of each institution of higher education, by formal  
32 action of the board, and the Colorado commission on higher education,  
33 by formal action of the commission, may elect to be exempt from the  
34 provisions of this subsection (2) and may obtain a motor vehicle fleet  
35 system independent of the state motor vehicle fleet system. Under the  
36 direction of the executive director, the department of personnel shall  
37 perform the following functions pertaining to the motor vehicle fleet  
38 system throughout the state:

39  
40 (t) REQUIRE THAT THE FEDERAL ENVIRONMENTAL PROTECTION  
41 AGENCY MILE-PER-GALLON RATING FOR ALL MOTOR VEHICLES PURCHASED  
42 FOR THE STATE-OWNED MOTOR VEHICLE FLEET ON OR AFTER JANUARY 1,  
43 2007, MEET OR EXCEED THE AVERAGE FUEL EFFICIENCY STANDARDS AS  
44 ESTABLISHED PURSUANT TO THE FEDERAL "ENERGY POLICY  
45 CONSERVATION ACT", 15 U.S.C. SEC. 2001, ET SEQ.".

46  
47 Renumber succeeding sections accordingly.

48  
49 As amended, ordered revised and placed on the Calendar for Third  
50 Reading and Final Passage.

51  
52 **SB06-020** by Senator(s) Hanna; also Representative(s) Green--  
53 Concerning the creation of a nurse licensure compact, and  
54 making an appropriation therefor  
55

1 Amendment No. 1, Appropriations Report, dated April 21, 2006, and  
2 placed in member's bill file; Report also printed in House Journal, April  
3 21, page 1419.

4  
5 Amendment No. 2, by Representative Weissmann.

6  
7 Amend the Appropriations Committee Report, dated April 21, 2006, page  
8 1, line 13, strike "\$327,461) and 2.0 FTE,"" and substitute  
9 "\$327,461),"".

10

11 Amend reengrossed bill, page 18, after line 8, insert the following:

12

13 **SECTION 3.** 24-34-102, Colorado Revised Statutes, is amended  
14 BY THE ADDITION OF A NEW SUBSECTION to read:

15

16 **24-34-102. Division of registrations - creation - duties of**  
17 **division and department heads - definitions - license, registration, or**  
18 **certification renewal and reinstatement.** (4.5) IT IS THE INTENT OF THE  
19 GENERAL ASSEMBLY THAT THE EMPLOYEES AUTHORIZED IN S.B. 06-20,  
20 ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-FIFTH GENERAL  
21 ASSEMBLY, FOR THE IMPLEMENTATION OF THE "NURSE LICENSURE  
22 COMPACT", PART 32 OF ARTICLE 60 OF THIS TITLE, BE FUNDED ONLY FOR  
23 THE FISCAL YEARS 2006-2007 AND 2007-2008. THE SALARIES TO BE PAID  
24 SUCH EMPLOYEES SHALL BE WITHIN THE APPROPRIATION MADE BY THE  
25 GENERAL ASSEMBLY FOR SUCH FISCAL YEARS."

26

27 As amended, ordered revised and placed on the Calendar for Third  
28 Reading and Final Passage.

29

30 **SB06-038** by Senator(s) Tapia; also Representative(s) Knoedler--  
31 Concerning investigation of insurance fraud, and making  
32 an appropriation.

33

34 Amendment No. 1, Business Affairs and Labor Report, dated March 20,  
35 2006, and placed in member's bill file; Report also printed in House  
36 Journal, March 22, page 867.

37

38 Amendment No. 2, Appropriations Report, dated April 21, 2006, and  
39 placed in member's bill file; Report also printed in House Journal, April  
40 21, page 1404.

41

42 As amended, ordered revised and placed on the Calendar for Third  
43 Reading and Final Passage.

44

45 **SB06-094** by Senator(s) Spence; also Representative(s) Lindstrom--  
46 Concerning the regulation of motor carriers by the public  
47 utilities commission.

48

49 Ordered revised and placed on the Calendar for Third Reading and Final  
50 Passage.

51 (For change in action, see Amendments to Report, page 1538.)

52

53

54 **SB06-152** by Senator(s) Teck; also Representative(s) Buescher--  
55 Concerning the oversight of investments for specified  
56 institutions of higher education.

1 Amendment No. 1, Education Report, dated March 23, 2006, and placed  
2 in member's bill file; Report also printed in House Journal, March 24,  
3 page 897.

4  
5 Amendment No. 2, by Representative Buescher.

6  
7 Amend the Education Committee Report, dated March 23, 2006, page 1,  
8 after line 3, insert the following:  
9 "Page 4, strike lines 13 through 19;"

10  
11 line 4, strike "Page 4,";

12  
13 line 6, strike "TO 23-53-103.5," and substitute "AND 23-53-103.4,";

14  
15 after line 6, insert the following:

16 "Page 5, line 18, strike "TO 23-53-103.5." and substitute "AND  
17 23-53-103.4.";"

18  
19 line 7, strike "Page 5,";

20  
21 line 9, strike "TO 23-41-103.8," and substitute "AND 23-41-103.7,"

22  
23 after line 10 of the committee report, insert the following:

24 "Page 7, strike lines 10 through 17;"

25  
26 line 11, strike "Page 7";

27  
28 line 13, strike "TO 23-41-103.8," and substitute "AND 23-41-103.7,";

29  
30 after line 13 of the committee report, insert the following:

31 "Page 8, line 17, strike "TO 23-41-103.8." and substitute "AND  
32 23-41-103.7."."

33  
34 As amended, ordered revised and placed on the Calendar for Third  
35 Reading and Final Passage.

36  
37 **SB06-171** by Senator(s) Johnson; also Representative(s) Lindstrom--  
38 Concerning the transfer of certain authorities of the state  
39 board of health to other governmental entities.

40  
41 Amendment No. 1, Appropriations Report, dated April 21, 2006, and  
42 placed in member's bill file; Report also printed in House Journal, April  
43 21, page 1405.

44  
45 As amended, ordered revised and placed on the Calendar for Third  
46 Reading and Final Passage.

47  
48 **SB06-172** by Senator(s) Taylor; also Representative(s) Cloer, Soper--  
49 Concerning an exemption to certain motor vehicle  
50 requirements for persons who are honored for service in  
51 the armed forces of the United States.

52  
53 Declared **lost** on Second Reading.

54 (For change in action, see Amendments to Report, page 1539.)

55

1 **SB06-176** by Senator(s) Spence; also Representative(s) Massey--  
 2 Concerning requirements for educators, and making an  
 3 appropriation therefor.  
 4

5 Ordered revised and placed on the Calendar for Third Reading and Final  
 6 Passage.  
 7

8 **SB06-188** by Senator(s) Evans; also Representative(s) Hodge--  
 9 Concerning the central filing of an effective financing  
 10 statement, and making an appropriation therefor.  
 11

12 Ordered revised and placed on the Calendar for Third Reading and Final  
 13 Passage.  
 14

15 **SB06-105** by Senator(s) Takis; also Representative(s) Cerbo--  
 16 Concerning the regulation of mechanical conveyances, and  
 17 making an appropriation therefor.  
 18

19 Amendment No. 1, Business Affairs and Labor Report, dated April 12,  
 20 2006, and placed in member's bill file; Report also printed in House  
 21 Journal, April 13, page 1206.  
 22

23 Amendment No. 2, Appropriations Report, dated April 24, 2006, and  
 24 placed in member's bill file; Report also printed in House Journal, April  
 25 24, page 1440.  
 26

27 Amendment No. 3, by Representative Berens.  
 28

29 Amend reengrossed bill, page 6, line 18, strike "MUNICIPALITY OR  
 30 COUNTY" and substitute "MUNICIPALITY, A COUNTY, OR AN AGENT OF A  
 31 MUNICIPALITY OR COUNTY".  
 32

33 As amended, ordered revised and placed on the Calendar for Third  
 34 Reading and Final Passage.  
 35

---

36  
 37  
 38 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**  
 39

40 Representative Knoedler moved to amend the Report of the Committee  
 41 of the Whole to show that the following Knoedler amendment, to  
 42 SB06-094, did pass, and that **SB06-094**, as amended, did pass.  
 43

44 Amend reengrossed bill, page 17, line 4, before "(4),", insert "(3) (a) (III)  
 45 and" and strike "is" and substitute "are";  
 46

47 after line 10, insert the following:  
 48

49 "(3) (a) "Luxury limousine" means a chauffeur-driven, luxury  
 50 motor vehicle with a rear seating capacity of three or more, for hire on a  
 51 prearranged, charter basis to transport passengers in luxury limousine  
 52 service, that:  
 53

54 ~~(III) Offers luxury features that shall include, but need not be~~  
 55 ~~limited to, television, telephone, and beverages as specified by rules of~~  
 56 ~~the commission, and".~~



1 The amendment was declared **passed** by the following roll call vote:

	YES	37	NO	25	EXCUSED	02	ABSENT	01
4	Balmer	Y	Frangas	Y	Larson	Y	Pommer	N
5	Benefield	N	Gallegos	N	Lindstrom	Y	Ragsdale	N
6	Berens	Y	Garcia	N	Liston	Y	Riesberg	N
7	Borodkin	N	Gardner	Y	Lundberg	Y	Rose	Y
8	Buescher	N	Green	N	Madden	N	Schultheis	Y
9	Butcher	N	Hall	Y	Marshall	N	Solano	N
10	Cadman	Y	Harvey	Y	Massey	Y	Soper	N
11	Carroll M	N	Hefley	Y	May	Y	Stafford	Y
12	Carroll T	Y	Hodge	N	McCluskey	Y	Stengel	E
13	Cerbo	N	Hoppe	Y	McFadyen	-	Sullivan	E
14	Clapp	Y	Jahn	Y	McGihon	Y	Todd	N
15	Cloer	N	Judd	N	McKinley	N	Vigil	N
16	Coleman	Y	Kerr A	Y	Merrifield	N	Weissmann	Y
17	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
18	Curry	N	King	Y	Penry	Y	White	Y
19	Decker	Y	Knoedler	Y	Plant	N	Witwer	Y
20							Speaker	Y

21  
22 Representative Cloer moved to amend the Report of the Committee of the  
23 Whole to show that **SB06-172** did pass.

24  
25 The amendment was declared **passed** by the following roll call vote:

	YES	63	NO	00	EXCUSED	02	ABSENT	00
28	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
29	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
30	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
31	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
32	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
33	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
34	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
35	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
36	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	E
37	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	E
38	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
39	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
40	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
41	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
42	Curry	Y	King	Y	Penry	Y	White	Y
43	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
44							Speaker	Y

45  
46 Representative King moved to amend the Report of the Committee of the  
47 Whole to show that the following King amendment, to SB06-176, did  
48 pass, and that **SB06-176**, as amended, did pass.

49  
50 Amend reengrossed bill, page 9, after line 23, insert the following:

51  
52 "SECTION 7. 22-63-301, Colorado Revised Statutes, is amended  
53 to read:

54  
55 **22-63-301. Grounds for dismissal.** A teacher may be dismissed  
56 for physical or mental disability; incompetency; neglect of duty,

1 INCLUDING BUT NOT LIMITED TO A PATTERN OF FAILING TO PRESENT  
 2 BALANCED VIEWPOINTS ON CONTROVERSIAL TOPICS AS REQUIRED BY  
 3 SCHOOL DISTRICT POLICY; immorality; unsatisfactory performance;  
 4 insubordination; the conviction of a felony or the acceptance of a guilty  
 5 plea, a plea of nolo contendere, or a deferred sentence for a felony; or  
 6 other good and just cause. No teacher shall be dismissed for temporary  
 7 illness, leave of absence previously approved by the board, or military  
 8 leave of absence pursuant to article 3 of title 28, C.R.S.".

9  
 10 Renumber succeeding sections accordingly.

11  
 12 The amendment was declared **lost** by the following roll call vote:

	YES	26	NO	36	EXCUSED	03	ABSENT	00
15	Balmer	Y	Frangas	N	Larson	Y	Pommer	N
16	Benefield	N	Gallegos	N	Lindstrom	N	Ragsdale	N
17	Berens	Y	Garcia	N	Liston	E	Riesberg	N
18	Borodkin	N	Gardner	Y	Lundberg	Y	Rose	Y
19	Buescher	N	Green	N	Madden	N	Schultheis	Y
20	Butcher	N	Hall	Y	Marshall	N	Solano	N
21	Cadman	Y	Harvey	Y	Massey	Y	Soper	N
22	Carroll M	N	Hefley	Y	May	Y	Stafford	Y
23	Carroll T	N	Hodge	N	McCluskey	Y	Stengel	E
24	Cerbo	N	Hoppe	N	McFadyen	N	Sullivan	E
25	Clapp	Y	Jahn	N	McGihon	N	Todd	N
26	Cloer	Y	Judd	N	McKinley	N	Vigil	N
27	Coleman	N	Kerr A	N	Merrifield	N	Weissmann	N
28	Crane	Y	Kerr J	Y	Paccione	N	Welker	Y
29	Curry	N	King	Y	Penry	Y	White	Y
30	Decker	Y	Knoedler	Y	Plant	N	Witwer	Y
31							Speaker	N

32  
 33 Representatives M. Carroll and Marshall moved to amend the Report of  
 34 the Committee of the Whole to show that **HB06-1407** was laid over until  
 35 Monday, May 1, 2006.

36  
 37 The amendment was declared **lost** by the following roll call vote:

	YES	24	NO	38	EXCUSED	03	ABSENT	00
39	Balmer	N	Frangas	Y	Larson	N	Pommer	N
40	Benefield	Y	Gallegos	N	Lindstrom	N	Ragsdale	N
41	Berens	N	Garcia	N	Liston	E	Riesberg	N
42	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
43	Buescher	Y	Green	N	Madden	Y	Schultheis	N
44	Butcher	N	Hall	N	Marshall	Y	Solano	Y
45	Cadman	Y	Harvey	N	Massey	N	Soper	Y
46	Carroll M	Y	Hefley	N	May	N	Stafford	N
47	Carroll T	N	Hodge	Y	McCluskey	N	Stengel	E
48	Cerbo	N	Hoppe	N	McFadyen	N	Sullivan	E
49	Clapp	N	Jahn	Y	McGihon	Y	Todd	N
50	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
51	Coleman	Y	Kerr A	Y	Merrifield	N	Weissmann	Y
52	Crane	N	Kerr J	N	Paccione	Y	Welker	N
53	Curry	Y	King	N	Penry	N	White	N
54	Decker	N	Knoedler	N	Plant	Y	Witwer	N
55							Speaker	Y

56

1       **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

2  
3 Passed Second Reading: **HB06-1393 amended, 1406, 1407,**  
4 **1399 amended, 1400 amended, 1405, 1398 amended,**  
5 **SB06-015 amended, 020 amended, 038 amended, 094 amended, 152**  
6 **amended, 171 amended, 172, 176, 188, 105 amended.**

7  
8 Laid over until date indicated retaining place on Calendar: **SB06-114--**  
9 **May 1, 2006.**

10  
11  
12 The Chairman moved the adoption of the Committee of the Whole  
13 Report. As shown by the following roll call vote, a majority of those  
14 elected to the House voted in the affirmative, and the Report was  
15 **adopted.**

YES	62	NO	00	EXCUSED	03	ABSENT	00
Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
Berens	Y	Garcia	Y	Liston	E	Riesberg	Y
Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	E
Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	E
Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
Curry	Y	King	Y	Penry	Y	White	Y
Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
						Speaker	Y

36  
37  
38  
39       **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

40  
41 **HB06-1201** by Representative(s) Plant and White, Buescher, Curry,  
42 Lindstrom, Borodkin, Larson, Madden; also Senator(s)  
43 Taylor, Isgar, Fitz-Gerald, Tapia, Veiga--Concerning the  
44 proportion of limited gaming revenues designated for the  
45 promotion of tourism in the state, and making an  
46 appropriation therefor.

47  
48 (Amended as printed in Senate Journal, April 21, pages 1007-1008.)

49  
50 Representative Plant moved that the House **concur** in Senate  
51 amendments. The motion was declared **passed** by the following roll call  
52 vote:

YES	52	NO	10	EXCUSED	03	ABSENT	00
Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y

1	Berens	Y	Garcia	N	Liston	E	Riesberg	Y
2	Borodkin	Y	Gardner	Y	Lundberg	N	Rose	Y
3	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
4	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
5	Cadman	N	Harvey	N	Massey	Y	Soper	Y
6	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
7	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	E
8	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	E
9	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
10	Cloer	Y	Judd	N	McKinley	Y	Vigil	Y
11	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	N
12	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
13	Curry	Y	King	N	Penry	Y	White	Y
14	Decker	N	Knoedler	N	Plant	Y	Witwer	Y
15							Speaker	Y

16

17 The question being, "Shall the bill, as amended, pass?".

18 A roll call vote was taken. As shown by the following recorded vote, a  
 19 majority of those elected to the House voted in the affirmative, and the  
 20 bill, as amended, was declared **repassed**.

21

22

	YES	50	NO	12	EXCUSED	03	ABSENT	00
23	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
24	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
25	Berens	Y	Garcia	N	Liston	E	Riesberg	Y
26	Borodkin	Y	Gardner	Y	Lundberg	N	Rose	Y
27	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
28	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
29	Cadman	N	Harvey	N	Massey	Y	Soper	Y
30	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
31	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	E
32	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	E
33	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
34	Cloer	Y	Judd	N	McKinley	Y	Vigil	Y
35	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	N
36	Crane	Y	Kerr J	Y	Paccione	Y	Welker	N
37	Curry	Y	King	N	Penry	Y	White	Y
38	Decker	N	Knoedler	N	Plant	Y	Witwer	Y
39							Speaker	Y

40 Co-sponsors added: Representatives Coleman, Hodge, Kerr J, McFadyen,  
 41 Merrifield, Speaker.

42

43 **HB06-1008** by Representative(s) Massey; also Senator(s) Isgar--  
 44 Concerning reimbursement for supplemental on-line  
 45 education courses, and making an appropriation therefor.

46

47 (Amended as printed in Senate Journal, April 21, pages 1007-1009.)

48

49 Representative Massey moved that the House **concur** in Senate  
 50 amendments. The motion was declared **passed** by the following roll call  
 51 vote:

52

53

	YES	62	NO	00	EXCUSED	03	ABSENT	00
54	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
55	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
56	Berens	Y	Garcia	Y	Liston	E	Riesberg	Y

1	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
2	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
3	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
4	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
5	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
6	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	E
7	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	E
8	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
9	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
10	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
11	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
12	Curry	Y	King	Y	Penry	Y	White	Y
13	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
14							Speaker	Y

15  
 16 The question being, "Shall the bill, as amended, pass?".  
 17 A roll call vote was taken. As shown by the following recorded vote, a  
 18 majority of those elected to the House voted in the affirmative, and the  
 19 bill, as amended, was declared **repassed**.

21	YES	49	NO	13	EXCUSED	03	ABSENT	00
22	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
23	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
24	Berens	Y	Garcia	N	Liston	E	Riesberg	Y
25	Borodkin	Y	Gardner	N	Lundberg	N	Rose	Y
26	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
27	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
28	Cadman	N	Harvey	Y	Massey	Y	Soper	Y
29	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
30	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	E
31	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	E
32	Clapp	Y	Jahn	Y	McGihon	N	Todd	Y
33	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
34	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	N
35	Crane	N	Kerr J	N	Paccione	Y	Welker	N
36	Curry	Y	King	N	Penry	N	White	Y
37	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
38							Speaker	Y

39 Co-sponsors added: Representatives Carroll T, Kerr A, McFadyen, Rose.

40  
 41 **HB06-1274** by Representative(s) Hodge; also Senator(s) Entz--  
 42 Concerning the uniform regulation of pesticide applicators  
 43 under the pesticide applicators' act, and, in connection  
 44 therewith, regulating private applicators, and making an  
 45 appropriation.

46  
 47 (Amended as printed in Senate Journal, April 21, page 1008.)

48  
 49 Representative Hodge moved that the House **concur** in Senate  
 50 amendments. The motion was declared **passed** by the following roll call  
 51 vote:

53	YES	62	NO	00	EXCUSED	03	ABSENT	00
54	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
55	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
56	Berens	Y	Garcia	Y	Liston	E	Riesberg	Y

1	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
2	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
3	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
4	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
5	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
6	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	E
7	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	E
8	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
9	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
10	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
11	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
12	Curry	Y	King	Y	Penry	Y	White	Y
13	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
14							Speaker	Y

15  
 16 The question being, "Shall the bill, as amended, pass?".  
 17 A roll call vote was taken. As shown by the following recorded vote, a  
 18 majority of those elected to the House voted in the affirmative, and the  
 19 bill, as amended, was declared **repassed**.

20	YES	59	NO	03	EXCUSED	03	ABSENT	00
21	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
22	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
23	Berens	Y	Garcia	Y	Liston	E	Riesberg	Y
24	Borodkin	Y	Gardner	Y	Lundberg	N	Rose	Y
25	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
26	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
27	Cadman	N	Harvey	Y	Massey	Y	Soper	Y
28	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
29	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	E
30	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	E
31	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
32	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
33	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
34	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
35	Curry	Y	King	Y	Penry	Y	White	Y
36	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
37							Speaker	Y

38  
 39 Co-sponsor added: Representative White.

40  
 41 **HB06-1154** by Representative(s) Berens, Cerbo, Rose, Sullivan, Todd;  
 42 also Senator(s) Hanna, Shaffer--Concerning the issuance  
 43 of heirloom certificates, and making an appropriation  
 44 therefor.

45  
 46 (Amended as printed in Senate Journal, April 21, page 1008.)

47  
 48 Representative Berens moved that the House **concur** in Senate  
 49 amendments. The motion was declared **passed** by the following roll call  
 50 vote:

51	YES	58	NO	04	EXCUSED	03	ABSENT	00
52	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
53	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
54	Berens	Y	Garcia	Y	Liston	E	Riesberg	Y
55	Borodkin	Y	Gardner	Y	Lundberg	N	Rose	Y

1	Buescher	N	Green	Y	Madden	Y	Schultheis	N
2	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
3	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
4	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
5	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	E
6	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	E
7	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
8	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
9	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	N
10	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
11	Curry	Y	King	Y	Penry	Y	White	Y
12	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
13							Speaker	Y

14

15 The question being, "Shall the bill, as amended, pass?".

16 A roll call vote was taken. As shown by the following recorded vote, a  
 17 majority of those elected to the House voted in the affirmative, and the  
 18 bill, as amended, was declared **repassed**.

19

20	YES	46	NO	16	EXCUSED	03	ABSENT	00
21	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
22	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
23	Berens	Y	Garcia	Y	Liston	E	Riesberg	Y
24	Borodkin	Y	Gardner	N	Lundberg	N	Rose	Y
25	Buescher	N	Green	Y	Madden	Y	Schultheis	N
26	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
27	Cadman	N	Harvey	N	Massey	Y	Soper	Y
28	Carroll M	Y	Hefley	Y	May	N	Stafford	N
29	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	E
30	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	E
31	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
32	Cloer	N	Judd	Y	McKinley	Y	Vigil	Y
33	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
34	Crane	Y	Kerr J	Y	Paccione	Y	Welker	N
35	Curry	Y	King	N	Penry	N	White	Y
36	Decker	Y	Knoedler	N	Plant	Y	Witwer	Y
37							Speaker	Y

38 Co-sponsor added: Representative Frangas.

39

40 **HB06-1313** by Representative(s) Curry; also Senator(s) Isgar--  
 41 Concerning the funding of Colorado water conservation  
 42 board projects, and, in connection therewith, making  
 43 appropriations.

44

45 (Amended as printed in Senate Journal, April 21, page 1008.)

46

47 Representative Curry moved that the House **concur** in Senate  
 48 amendments. The motion was declared **passed** by the following roll call  
 49 vote:

50

51	YES	61	NO	01	EXCUSED	03	ABSENT	00
52	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
53	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
54	Berens	Y	Garcia	Y	Liston	E	Riesberg	Y
55	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
56	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y

1	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
2	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
3	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
4	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	E
5	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	E
6	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
7	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
8	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
9	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
10	Curry	Y	King	Y	Penry	Y	White	Y
11	Decker	Y	Knoedler	Y	Plant	N	Witwer	Y
12							Speaker	Y

13  
14 The question being, "Shall the bill, as amended, pass?".  
15 A roll call vote was taken. As shown by the following recorded vote, a  
16 majority of those elected to the House voted in the affirmative, and the  
17 bill, as amended, was declared **repassed**.

19	YES	62	NO	00	EXCUSED	03	ABSENT	00
20	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
21	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
22	Berens	Y	Garcia	Y	Liston	E	Riesberg	Y
23	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
24	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
25	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
26	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
27	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
28	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	E
29	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	E
30	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
31	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
32	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
33	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
34	Curry	Y	King	Y	Penry	Y	White	Y
35	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
36							Speaker	Y

37 Co-sponsors added: Representatives Gallegos, Marshall.

38  
39 **HB06-1090** by Representative(s) Green; also Senator(s) Tupa--  
40 Concerning unlawful sexual behavior.

41  
42 (Amended as printed in Senate Journal, April 26, pages 1044-1049.)

43  
44 Representative Green moved that the House **concur** in Senate  
45 amendments. A substitute motion by Representative Gardner that the bill  
46 be laid over until May 2 was declared **lost** by the following roll call vote:

48	YES	27	NO	35	EXCUSED	03	ABSENT	00
49	Balmer	Y	Frangas	N	Larson	Y	Pommer	N
50	Benefield	N	Gallegos	N	Lindstrom	N	Ragsdale	N
51	Berens	Y	Garcia	N	Liston	E	Riesberg	N
52	Borodkin	N	Gardner	Y	Lundberg	Y	Rose	Y
53	Buescher	N	Green	N	Madden	N	Schultheis	Y
54	Butcher	N	Hall	Y	Marshall	N	Solano	N
55	Cadman	Y	Harvey	Y	Massey	Y	Soper	N
56	Carroll M	N	Hefley	Y	May	Y	Stafford	Y



1	Carroll T	N	Hodge	N	McCluskey	Y	Stengel	E
2	Cerbo	N	Hoppe	Y	McFadyen	N	Sullivan	E
3	Clapp	Y	Jahn	N	McGihon	N	Todd	N
4	Cloer	Y	Judd	N	McKinley	N	Vigil	N
5	Coleman	N	Kerr A	N	Merrifield	N	Weissmann	N
6	Crane	Y	Kerr J	Y	Paccione	N	Welker	Y
7	Curry	N	King	Y	Penry	Y	White	Y
8	Decker	Y	Knoedler	Y	Plant	N	Witwer	Y
9							Speaker	N

10  
11

12 A second substitute motion by Representative Penry that the House  
13 **adhere** to its position on **HB06-1090** was declared **lost** by the following  
14 roll call vote:

15

16	YES	27	NO	35	EXCUSED	03	ABSENT	00
17	Balmer	Y	Frangas	Y	Larson	Y	Pommer	N
18	Benefield	N	Gallegos	N	Lindstrom	N	Ragsdale	N
19	Berens	Y	Garcia	N	Liston	E	Riesberg	N
20	Borodkin	N	Gardner	Y	Lundberg	Y	Rose	Y
21	Buescher	N	Green	N	Madden	N	Schultheis	Y
22	Butcher	N	Hall	Y	Marshall	N	Solano	N
23	Cadman	Y	Harvey	Y	Massey	Y	Soper	N
24	Carroll M	N	Hefley	N	May	Y	Stafford	Y
25	Carroll T	N	Hodge	N	McCluskey	Y	Stengel	E
26	Cerbo	N	Hoppe	Y	McFadyen	N	Sullivan	E
27	Clapp	Y	Jahn	N	McGihon	N	Todd	N
28	Cloer	Y	Judd	N	McKinley	N	Vigil	N
29	Coleman	N	Kerr A	N	Merrifield	N	Weissmann	N
30	Crane	Y	Kerr J	Y	Paccione	N	Welker	Y
31	Curry	N	King	Y	Penry	Y	White	Y
32	Decker	Y	Knoedler	Y	Plant	N	Witwer	Y
33							Speaker	N

34

35 After withdrawing her motion that the House concur in Senate  
36 amendments, Representative Green moved that the House **not concur** in  
37 Senate amendments and that a Conference Committee be appointed with  
38 permission to go beyond the scope of the differences between the House  
39 and the Senate. The motion was declared **passed** by the following roll  
40 call vote:

41

42	YES	53	NO	09	EXCUSED	03	ABSENT	00
43	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
44	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
45	Berens	Y	Garcia	Y	Liston	E	Riesberg	Y
46	Borodkin	Y	Gardner	Y	Lundberg	N	Rose	N
47	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
48	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
49	Cadman	N	Harvey	Y	Massey	Y	Soper	Y
50	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
51	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	E
52	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	E
53	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
54	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
55	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
56	Crane	N	Kerr J	Y	Paccione	Y	Welker	N

1	Curry	Y	King	Y	Penry	Y	White	Y
2	Decker	N	Knoedler	Y	Plant	Y	Witwer	Y
3							Speaker	Y

4 The Speaker appointed Representatives Green, Chairman, McGihon, and  
5 Gardner as House conferees to the bill.

6  
7  
8  
9 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**  
10 **on HB06-1209**

11  
12 This Report Amends the Reengrossed Bill.

13  
14 To the President of the Senate and the  
15 Speaker of the House of Representatives:

16  
17 Your first conference committee appointed on HB06-1209,  
18 concerning the voluntary contribution designation benefiting the  
19 Colorado special olympics fund that appears on the state individual  
20 income tax return forms, and, in connection therewith, extending the  
21 period for the contribution designation, has met and reports that it has  
22 agreed upon the following:

23  
24 That the Senate recede from its amendments made to the bill and  
25 that the reengrossed bill be adopted without change.

26  
27 Respectfully submitted,

28 House Committee:

29 Robert Witwer  
30 K Jerry Frangas  
31 Fran Coleman

Senate Committee:

Ron Tupa  
Brandon Shaffer  
Shawn Mitchell

32  
33  
34  
35 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**  
36 **on HB06-1288**

37  
38 This Report Amends the Reengrossed Bill.

39  
40 To the President of the Senate and the  
41 Speaker of the House of Representatives:

42  
43 Your first conference committee appointed on HB06-1288,  
44 concerning the election of nonpartisan school directors, has met and  
45 reports that it has agreed upon the following:

46  
47 That the Senate recede from its amendments made to the bill and  
48 that the reengrossed bill be adopted without change.

49 Respectfully submitted,

50 House Committee:

51 Nancy Todd  
52 Michael Merrifield  
53 Tom Massey

Senate Committee:

Sue Windels  
Bob Bacon  
Nancy Spence

**MESSAGE FROM THE SENATE**

1  
2  
3 The Senate has passed on Third Reading and returns herewith  
4 HB06-1379, HB06-1383, HB06-1294, HB06-1018, HB06-1381.  
5  
6 The Senate has passed on Third Reading and transmitted to the Revisor  
7 of Statutes: SB06-233,  
8  
9 SB06-225 amended as printed in Senate Journal, April 27, 2006,  
10 page 1069,  
11 SB06-221 amended as printed in Senate Journal, April 27, 2006,  
12 page 1069,  
13 SB06-235 amended as printed in Senate Journal, April 27, 2006,  
14 page 1081,  
15 HB06-1086 amended as printed in Senate Journal, April 27, 2006,  
16 page 1062,  
17 HB06-1161 amended as printed in Senate Journal, April 27, 2006,  
18 page 1062,  
19 HB06-1127 amended as printed in Senate Journal, April 27, 2006,  
20 pages 1062-1066, and on Third Reading, April 28, 2006, as  
21 printed in the Senate Journal,  
22 HB06-1293 amended as printed in Senate Journal, April 27, 2006,  
23 page 1066,  
24 HB06-1124 amended as printed in Senate Journal, April 27, 2006,  
25 page 1066,  
26 HB06-1046 amended as printed in Senate Journal, April 27, 2006,  
27 pages 1067-1068  
28 HB06-1072 amended as printed in Senate Journal, April 27, 2006,  
29 page 1068,  
30 HB06-1157 amended as printed in Senate Journal, April 27, 2006,  
31 pages 1068-1069,  
32 HB06-1147 amended as printed in Senate Journal, April 27, 2006,  
33 page 1069,  
34 HB06-1277 amended as printed in Senate Journal, April 27, 2006,  
35 page 1070,  
36 HB06-1314 amended as printed in Senate Journal, April 27, 2006,  
37 page 1081.  
38  
39 The Senate has voted not to concur in House Amendments to SB06-209,  
40 and requests that a Conference Committee be appointed. The President  
41 appointed Senators Windels- Chair, Bacon and Spence, as members of the  
42 First Conference Committee on part of the Senate. The bill is transmitted  
43 herewith.  
44  
45 The Senate has voted not to concur in House Amendments to SB06-047,  
46 and requests that a Conference Committee be appointed. The President  
47 appointed Senators Hagedorn- Chair, Takis and Johnson, as members of  
48 the First Conference Committee on part of the Senate. The Senate  
49 granted permission to members of the First Conference Committee on  
50 SB06-047 to consider matters not at issue between the two houses. The  
51 bill is transmitted herewith.  
52  
53 The Senate has adopted the First Report of the First Conference  
54 Committee on HB06-1209, as printed in Senate Journal, April 28, and  
55 repassed the bill as amended. The bill is returned herewith.  
56

1 The Senate has adopted the First Report of the First Conference  
2 Committee on HB06-1288, as printed in Senate Journal, April 28, and  
3 repassed the bill as amended. The bill is returned herewith.  
4

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5  
6  
7 **MESSAGES FROM THE REVISOR**  
8

9 We herewith transmit:  
10 Without comment, SB06-233.  
11 Without comment, as amended, HB06-1086, 1161, 1127, 1293, 1124,  
12 1046, 1072, 1157, 1147, 1277, and 1314.  
13 Without comment, as amended, SB06-225, 221, and 235.  
14

---

15  
16 We herewith transmit:  
17 Without comment, as amended, HB06-1281.  
18

---

19  
20  
21 **INTRODUCTION OF BILLS**  
22 **First Reading**  
23

24 The following bills were read by title and referred to the committees  
25 indicated:  
26

27 **HB06-1411** by Representative(s) White and Weissmann, Paccione;  
28 also Senator(s) Tochtrop--Concerning the circumstances  
29 under which private property may be acquired by public  
30 entities through exercise of the power of eminent domain  
31 in furtherance of a public use, and, in connection  
32 therewith, prohibiting private property from being taken by  
33 the state or any political subdivision unless the  
34 condemning entity establishes that the taking is for a  
35 public use, excluding takings for economic development  
36 or tax revenue enhancement from the meaning of public  
37 use, and requiring that a condemnation action satisfy a  
38 higher degree of proof when the taking is for the  
39 eradication of blight.

40 Committee on State, Veterans, & Military Affairs  
41

42 **HB06-1412** by Representative(s) Plant--Concerning the allocation of  
43 tobacco litigation settlement revenues, and, in connection  
44 therewith, increasing the allocations of such revenues for  
45 the read-to-achieve grant program and the Tony Grampsas  
46 youth services program and requiring any such revenues  
47 not allocated to tobacco settlement programs to be credited  
48 to the tobacco litigation settlement trust fund.

49 Committee on Health and Human Services  
50

51 **SB06-221** by Senator(s) Hagedorn; also Representative(s) Garcia,  
52 McCluskey--Concerning the establishment of a trauma  
53 care reimbursement program.

54 Committee on Business Affairs and Labor  
55

1 **SB06-225** by Senator(s) Groff; also Representative(s) Paccione--  
 2 Concerning the creation of a division in the Colorado state  
 3 patrol to address human smuggling, and making an  
 4 appropriation therefor.

5 Committee on State, Veterans, & Military Affairs

6 Committee on Appropriations

7  
 8 **SB06-233** by Senator(s) Taylor, Isgar, Spence, Takis; also  
 9 Representative(s) Coleman, Schultheis, Vigil, White--  
 10 Concerning clarification of the existing authority of the  
 11 state auditor to access confidential documents.

12 Committee on State, Veterans, & Military Affairs

13  
 14 **SB06-235** by Senator(s) Sandoval; also Representative(s) Marshall,  
 15 Buescher--Concerning public employees' retirement  
 16 benefit plans.

17 Committee on Finance

---

18  
 19  
 20  
 21 **INTRODUCTION OF RESOLUTION**

22  
 23 The following resolution was read by title and laid over one day under the  
 24 rules:

25  
 26 **HJR06-1035** by Representative(s) McKinley; also Senator(s) Kester,  
 27 Tochtrop--Concerning the proposed expansion of the  
 28 Pinon Canyon Maneuver Site.

---

29  
 30  
 31  
 32 **APPOINTMENTS TO CONFERENCE COMMITTEES**

33  
 34 Pursuant to a request from the Senate, the Speaker appointed House  
 35 conferees to the First Conference Committees as follows:

36  
 37 **SB06-047**--Representatives Riesberg, Chairman, Weissmann,  
 38 McCluskey.

39 **SB06-209**--Representatives Paccione, Chairman, Merrifield, Larson.

---

40  
 41  
 42 House in recess. House reconvened.

---

43  
 44  
 45  
 46 **REPORTS OF COMMITTEES OF REFERENCE**

47  
 48 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

49 After consideration on the merits, the Committee recommends the  
 50 following:

51  
 52 **HB06-1408** be referred to the Committee of the Whole with favorable  
 53 recommendation.

54  
 55

1 **HB06-1409** be amended as follows, and as so amended, be referred to  
2 the Committee of the Whole with favorable  
3 recommendation:  
4

5 Amend printed bill, page 3, strike lines 7 through 9 and substitute the  
6 following:  
7

8 "(III) A FACILITY OPERATED BY A LICENSEE WHO WAS LICENSED TO  
9 HOLD A RACE MEET OF GREYHOUNDS IN 2003 SO LONG AS ONE OR MORE  
10 GREYHOUND TRACKS ARE OPERATING IN COLORADO IN ACCORDANCE WITH  
11 SECTION 12-60-602 (5) (a) (I); or";  
12

13 line 14, strike "track." and substitute "~~track~~ LICENSE."  
14  
15  
16  
17

18 **SB06-096** be amended as follows, and as so amended, be referred to  
19 the Committee on Appropriations with favorable  
20 recommendation:  
21

22 Amend reengrossed bill, page 4, line 10, strike "39-29-110 (1) (b) (V),"  
23 and substitute "34-63-102 (5) (a) (I);";  
24

25 after line 21, insert the following:  
26

27 "(5) NO LATER THAN JANUARY 1, 2008, THE STATE FORESTER  
28 SHALL SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE OF THE  
29 GENERAL ASSEMBLY, THE AGRICULTURE, LIVESTOCK, AND NATURAL  
30 RESOURCES COMMITTEE OF THE HOUSE OF REPRESENTATIVES, AND THE  
31 AGRICULTURE, NATURAL RESOURCES, AND ENERGY COMMITTEE OF THE  
32 SENATE, OR ANY SUCCESSOR COMMITTEES, ON THE USE OF MONEYS IN THE  
33 WILDFIRE PREPAREDNESS FUND, THE STATUS OF THE WILDFIRE  
34 PREPAREDNESS PLAN, AND THE STATUS OF THE INTERSTATE COMPACT."  
35

36 Page 9, strike lines 9 through 18 and substitute the following:  
37

38 "**SECTION 3.** 34-63-102 (5) (a) (I), Colorado Revised Statutes,  
39 is amended to read:  
40

41 **34-63-102. Creation of mineral leasing fund - distribution -**  
42 **advisory committee.** (5) (a) (I) The remaining fifteen percent of all  
43 moneys described in paragraph (a) of subsection (1) of this section, any  
44 moneys received pursuant to subparagraph (II) of paragraph (b) of  
45 subsection (3) of this section, and any moneys received pursuant to  
46 subparagraph (II) of paragraph (c) of subsection (3) of this section shall,  
47 upon receipt, be paid into the local government mineral impact fund,  
48 which is hereby created. The executive director of the department of local  
49 affairs shall distribute moneys from such fund pursuant to subsection (3)  
50 of this section; except that the remainder provided for in this paragraph  
51 (a) shall be distributed in accordance with the purposes and priorities  
52 described in subsection (1) of this section. Notwithstanding any other  
53 provision of this paragraph (a) to the contrary, the executive director shall  
54 distribute moneys from such fund to the uranium mill tailings remedial  
55 action program fund in accordance with the provisions of section  
56 39-29-116(3), C.R.S. NOTWITHSTANDING ANY OTHER PROVISION OF THIS

1 PARAGRAPH (a), IN THE FISCAL YEARS COMMENCING JULY 1, 2006, JULY  
2 1, 2007, JULY 1, 2008, JULY 1, 2009, AND JULY 1, 2010, THE EXECUTIVE  
3 DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL TRANSFER  
4 THREE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS OF THE MONEYS  
5 IN THE FUND TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEYS  
6 TO THE WILDFIRE PREPAREDNESS FUND CREATED IN SECTION 23-30-310  
7 (4), C.R.S."

8  
9

10

11 **SB06-138** be referred favorably to the Committee on Appropriations.

12

13

14 **SB06-193** be referred favorably to the Committee on Appropriations.

15

16

17

18

19 **FINANCE**

20 After consideration on the merits, the Committee recommends the  
21 following:

22

23 **HB06-1100** be amended as follows, and as so amended, be referred to  
24 the Committee on Appropriations with favorable  
25 recommendation:

26

27 Amend the Health and Human Services Committee Report, dated April  
28 26, 2006, page 3, strike lines 4 and 5 and substitute the following:

29

30 "DISPENSING FEE OF THREE DOLLARS AND FIFTY CENTS TO THE  
31 PARTICIPATING PHARMACY.";

32

33 line 16, strike the second "YEAR" and substitute "YEAR; OR";

34

35 strike lines 17 through 19.

36

37 Page 4, line 5, after "THE", insert "INGREDIENT COST";

38

39 strike lines 12 through 22 and substitute the following:

40

41 "QUARTER;

42

43 (d) ARRANGEMENTS FOR OBTAINING FROM STATE HEALTH PLANS  
44 THE ANNUAL REPORTS OF THE INFORMATION REQUIRED FOR PURPOSES OF  
45 DETERMINING THE DISCOUNT PRICE TO BE CHARGED TO PROGRAM  
46 PARTICIPANTS PURSUANT TO THIS SECTION.

47

48 (6) THE EXECUTIVE DIRECTOR SHALL ESTABLISH AN ANNUAL  
49 PROCESS FOR DETERMINING THE DISCOUNT PRICE TO BE CHARGED TO THE  
50 PROGRAM PARTICIPANTS FOR EACH DRUG, WHICH SHALL NOT EXCEED AN  
51 AMOUNT EQUAL TO THE INGREDIENT COST CAP MINUS THE MANUFACTURER  
52 DISCOUNT. THE DISCOUNT PRICE SHALL BE ESTABLISHED AS FOLLOWS:

53

54 (a) THE INGREDIENT COST CAP FOR PURPOSES OF THIS SECTION  
55 SHALL NOT BE GREATER THAN THE AVERAGE AMOUNT PAYABLE TO  
56 PHARMACIES FOR A DRUG BY THE STATE HEALTH PLANS. THE EXECUTIVE

1 DIRECTOR SHALL OBTAIN ON AN ANNUAL BASIS THE FORMULA EACH STATE  
2 HEALTH PLAN USED IN THE PRIOR YEAR TO COMPUTE INGREDIENT COST  
3 PAYMENTS TO A PARTICIPATING PHARMACY FOR DRUGS FURNISHED TO  
4 BENEFICIARIES OF THE STATE HEALTH PLANS AND SHALL DETERMINE THE  
5 AVERAGE AMOUNT PAYABLE TO PHARMACIES FOR BRAND AND GENERIC  
6 DRUGS BY THE STATE HEALTH PLANS. THE AVERAGE SHALL, WITH  
7 RESPECT TO EACH DRUG, BE USED TO ESTABLISH THE INGREDIENT COST  
8 CAP FOR PURPOSES OF THIS PART 6.

9  
10 (b) THE MANUFACTURER DISCOUNT SHALL BE THE  
11 MANUFACTURER'S BEST ESTIMATE OF THE AVERAGE REBATE AVAILABLE  
12 FROM THE MANUFACTURER FOR THE DRUG TO STATE HEALTH PLANS  
13 DURING THE PRIOR YEAR."

14  
15 Page 5, line 27, after "(8)", insert "(a)";

16  
17 after line 35, insert the following:

18  
19 "(b) THE EXECUTIVE DIRECTOR IS AUTHORIZED TO CONSIDER  
20 ARRANGEMENTS TO INCLUDE A MAIL-SERVICE PHARMACY OPTION FOR  
21 PROGRAM PARTICIPANTS, PROVIDED THAT NO DISPENSING FEE SHALL BE  
22 CHARGED FOR MAIL-SERVICE PRESCRIPTIONS. THE AVAILABILITY OF  
23 MAIL-SERVICE PRESCRIPTIONS, IF ANY, SHALL BE LIMITED TO  
24 PRESCRIPTIONS FOR A THREE-MONTH SUPPLY OF AN OUTPATIENT  
25 PRESCRIPTION DRUG THAT THE INDIVIDUAL ALREADY HAS USED FOR A  
26 MINIMUM OF THREE MONTHS."

27  
28 Page 7, strike lines 16 through 23 and substitute the following:

29  
30 "(a) THE DISPENSING FEE OF THREE DOLLARS AND FIFTY CENTS,  
31 PLUS THE DISCOUNT PRICE FOR THE DRUG ESTABLISHED UNDER SECTION  
32 25.5-1-602 (6); OR

33  
34 (b) THE DISPENSING FEE OF THREE DOLLARS AND FIFTY CENTS,  
35 PLUS THE PARTICIPATING PHARMACY'S USUAL AND CUSTOMARY CHARGE  
36 FOR THE DRUG.";

37  
38 line 24, strike "**reimbursement - applicable rules.**" and substitute  
39 "**reimbursement.**".

40  
41 Page 8, line 4, strike "CONSISTENT WITH THE";

42  
43 strike lines 5 through 9 and substitute the following:

44  
45 "ON A MONTHLY BASIS."

46  
47 Page 9, after line 11, insert the following:

48  
49 "(4) THE EXECUTIVE DIRECTOR SHALL PERMIT A PARTICIPATING  
50 MANUFACTURER TO AUDIT THE INFORMATION PROVIDED OR REQUIRED TO  
51 BE PROVIDED UNDER SUBSECTION (2) OF THIS SECTION, INCLUDING  
52 REASONABLE REQUESTS TO AUDIT PARTICIPATING PHARMACIES AS MAY BE  
53 APPROPRIATE TO RESOLVE DISPUTES REGARDING UTILIZATION DATA  
54 SUBMITTED FOR REBATE PAYMENT. THE EXECUTIVE DIRECTOR SHALL  
55 ENSURE THAT ANY ADJUSTMENTS ARE MADE TO REFLECT MANUFACTURER  
56 AND PHARMACY AGREEMENTS WITH THE PROGRAM.



1 (5) THE STATE DEPARTMENT MAY AUDIT PARTICIPATING  
2 PHARMACIES TO ENSURE THAT THE PARTICIPATING MANUFACTURER'S  
3 DISCOUNTS ARE APPROPRIATELY PASSED ON TO THE PROGRAM  
4 PARTICIPANTS. AUDIT REPORTS SHALL BE RELEASED TO THE GENERAL  
5 ASSEMBLY AND THE PUBLIC ONCE PER YEAR."

6

7 Renumber succeeding subsection accordingly.

8

9

10

11

12 **HEALTH & HUMAN SERVICES**

13 After consideration on the merits, the Committee recommends the  
14 following:

15

16 **SB06-001** be referred favorably to the Committee on Appropriations.

17

18

19

20 **DELIVERY OF BILLS TO GOVERNOR**

21

22 The Chief Clerk of the House of Representatives reports the following  
23 bills have been delivered to the Office of the Governor: **HB06-1019,**  
24 **1075, 1193, 1275, 1297, 1325, 1338** at 11:25 a.m., on April 28, 2006.

25

26

27 **MESSAGE FROM THE GOVERNOR**

28

29 I certify I received the following on the 28th day of April, 2006, at  
30 3:35 p.m. The original is on file in the records of the House of  
31 Representatives of the General Assembly.

32

33

Marilyn Eddins,  
Chief Clerk of the House

34

35 April 28, 2006

36

37 To the Honorable  
38 House of Representatives  
39 Sixty-fifth General Assembly  
40 Second Regular Session  
41 Denver, CO 80203

42

43 Ladies and Gentlemen:

44

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

47

48 **HB06-1375** Concerning The Financing Of Public Schools, And  
49 Making An Appropriations Therefor.

50

51 Approved April 28, 2006 at 9:49 a.m.

52

53 Sincerely  
54 (signed)  
55 Bill Owens

56

\_\_\_\_\_

**LAY OVER OF CALENDAR ITEMS**

1  
2  
3 On motion of Representative Madden, the following items on the  
4 Calendar were laid over until May 1, retaining place on Calendar:  
5  
6 Consideration of Third Reading **HB06-1352**.  
7 Consideration of General Orders-- **SB06-089, HCR06-1002, SB06-036,**  
8 **045, 212, 217, HCR06-1012, SB06-213, SCR06-002, SB06-149, 106.**  
9 Consideration of Resolutions--**HJR06-1022, HR06-1009, SJR06-020,**  
10 **HJR06-1024, 1025, 1031, HR06-1011, SJR06-031, 032, 035, 046, 047,**  
11 **050, HJR06-1034, SJR06-015.**  
12 Consideration of Memorials--**SJM06-003, HM06-1004.**  
13 Consideration of Senate Amendments--**HB06-1125, 1386.**  
14 Consideration of Adherence--**SB06-067.**  
15 Consideration of Governor's Vetoes--**HB06-1216, 1005, 1023, 1369,**  
16 **1371, 1374, 1010, 1056, 1077, 1148, 1174, 1212, 1095, 1309.**

17  
18  
19  
20 On motion of Representative Stafford, the House adjourned until  
21 9:00 a.m., May 1, 2006.

22  
23  
24  
25  
26 Approved:  
27 ANDREW ROMANOFF,  
28 Speaker

26 Attest:  
27 MARILYN EDDINS,  
28 Chief Clerk