

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

One hundred-fourth Legislative Day                      Thursday, May 4, 2006

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Chandler Smith, Teagan Smith,  
6 Chelsey Strange, Erika Bockenfeld, John Dueck, Melanie Kliegel,  
7 Tristan Kliegel, Centennial.

8

9 The roll was called with the following result:

10

11            Present--48.

12            Excused--Representatives Buescher, Butcher, Cloer, Coleman,  
13            Garcia, Gardner, Hall, Hoppe, Judd, Penry, Plant, Riesberg, Vigil,  
14            Weissmann, Welker--15.

15            Absent--Representatives Merrifield, Schultheis--2.

16            Present after roll call--Representatives Buescher, Butcher, Cloer,  
17            Coleman, Garcia, Gardner, Hall, Hoppe, Judd, Merrifield, Penry,  
18            Plant, Riesberg, Schultheis, Vigil, Weissmann, Welker.

19

20 The Speaker declared a quorum present.

21

22

23 On motion of Representative Witwer, the reading of the journal of  
24 May 3, 2006, was declared dispensed with and approved as corrected by  
25 the Chief Clerk.

26

27

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE**  
**on SB06-080**

28

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This Report Amends the Rerevised Bill.

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To the President of the Senate and the  
Speaker of the House of Representatives:

Your first conference committee appointed on SB06-080,  
concerning the creation of the support the troops special license plate for  
motor vehicles, and making an appropriation therefor, has met and reports  
that it has agreed upon the following:

That the Senate accede to the House amendments made to the bill,  
as the amendments appear in the rerevised bill, with the following  
changes:

1 Amend rerevised bill, page 3, line 1, strike "TEN" and substitute  
2 "TWENTY-FIVE";

3  
4 strike lines 9 and 10 and substitute the following:

5  
6 "HIGHWAY USERS TAX FUND FOR ALLOCATION AND EXPENDITURE AS  
7 SPECIFIED IN SECTION 43-4-205 (5.5) (b), C.R.S.".

8  
9 Respectfully submitted,  
10 Senate Committee:  
11 Lois Tochtrop  
12 Suzanne Williams  
13 Nancy Spence

House Committee:  
John F. Soper  
Rafael Gallegos  
Lynn C. Hefley

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16  
17 **MESSAGES FROM THE SENATE**

18  
19 The Senate has postponed indefinitely HB06-1131. The bill is returned  
20 herewith.

21  
22  
23 The Senate voted to concur in House amendments to SB06-001,  
24 SB06-063, SB06-061, SB06-073, and repassed the bills as amended.

25  
26 The Senate has passed on Third Reading and transmitted to the Revisor  
27 of Statutes:

28  
29 HB06-1011 amended as printed in, Senate Journal, May 2, 2006,  
30 page 1163, and amended on Third Reading, May 3, 2006,  
31 as printed in the Senate Journal.

32  
33 The Senate has voted not to concur in House Amendments to SB06-036,  
34 and requests that a Conference Committee be appointed. The President  
35 appointed Senators Hagedorn-Chair, Takis, and Johnson, as members of  
36 the First Conference Committee on the part of the Senate. The bill is  
37 transmitted herewith.

38  
39 The Senate has voted not to concur in House Amendments to SB06-224,  
40 and requests that a Conference Committee be appointed. The President  
41 appointed Senators Isgar, Chair, Traylor, and Williams, as members of the  
42 First Conference Committee on the part of the Senate. The Senate has  
43 granted authorization to go beyond the scope of the differences. The bill  
44 is transmitted herewith.

45  
46 The Senate has postponed indefinitely HB06-1280, HB06-1359. The  
47 bills are returned herewith.

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49  
50  
51 **THIRD READING OF BILLS--FINAL PASSAGE**

52  
53 The following bills were considered on Third Reading. The titles were  
54 publicly read. Reading of the bill at length was dispensed with by  
55 unanimous consent.

56

1 **HB06-1412** by Representative(s) Plant; also Senator(s) Sandoval--  
 2 Concerning the allocation of tobacco litigation settlement  
 3 revenues, and, in connection therewith, increasing the  
 4 allocations of such revenues for the read-to-achieve grant  
 5 program and the Tony Grampas youth services program  
 6 and requiring any such revenues not allocated to tobacco  
 7 settlement programs to be credited to the tobacco litigation  
 8 settlement trust fund.  
 9

10 The question being "Shall the bill pass?".

11 A roll call vote was taken. As shown by the following recorded vote, a  
 12 majority of those elected to the House voted in the affirmative and the bill  
 13 was declared **passed**.  
 14

	YES	49	NO	16	EXCUSED	00	ABSENT	00
16	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
17	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
18	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
19	Borodkin	Y	Gardner	N	Lundberg	N	Rose	Y
20	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
21	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
22	Cadman	N	Harvey	Y	Massey	Y	Soper	Y
23	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
24	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
25	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	N
26	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
27	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
28	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
29	Crane	N	Kerr J	N	Paccione	Y	Welker	N
30	Curry	Y	King	N	Penry	N	White	Y
31	Decker	N	Knoedler	N	Plant	Y	Witwer	Y
32							Speaker	Y

33 Co-sponsors added: Representatives Benefield, Berens, Borodkin, Buescher,  
 34 Carroll M, Carroll T, Curry, Green, Hodge, Jahn, Kerr A, Madden, McGihon,  
 35 Paccione, Ragsdale, Riesberg, Solano, Soper, Todd, Vigil.  
 36

37 **SB06-131** by Senator(s) Tochtrop, Isgar; also Representative(s)  
 38 McFadyen--Concerning reimbursement under the medical  
 39 assistance program for nursing facility providers, and  
 40 making an appropriation therefor.  
 41

42 The question being "Shall the bill pass?".

43 A roll call vote was taken. As shown by the following recorded vote, a  
 44 majority of those elected to the House voted in the affirmative and the bill  
 45 was declared **passed**.  
 46

	YES	57	NO	08	EXCUSED	00	ABSENT	00
48	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
49	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
50	Berens	Y	Garcia	N	Liston	Y	Riesberg	Y
51	Borodkin	Y	Gardner	Y	Lundberg	N	Rose	Y
52	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
53	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
54	Cadman	N	Harvey	Y	Massey	Y	Soper	Y
55	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
56	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y

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

9 Co-sponsors added: Representatives Buescher, Cloer, Coleman, Green, Jahn,  
10 Liston, Madden, Merrifield, Paccione, Riesberg, Solano, Stafford, Todd, White,  
11 Witwer.

12  
13 **SB06-081** by Senator(s) Veiga; also Representative(s) Madden--  
14 Concerning the expansion of employment  
15 nondiscrimination protections, and making an  
16 appropriation therefor.

17  
18 The question being "Shall the bill pass?".

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

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

40  
41 Co-sponsors added: Representatives Borodkin, Carroll M, Carroll T, Cerbo,  
42 Coleman, Frangas, Gallegos, Garcia, Green, Hodge, Jahn, Kerr A, Marshall,  
43 McGihon, Merrifield, Pommer, Ragsdale, Todd, Vigil, Weissmann, Speaker.

44  
45  
46 **SB06-138** by Senator(s) Shaffer, Entz, Fitz-Gerald, Kester; also  
47 Representative(s) Gardner, Gallegos, Hodge, Rose--  
48 Concerning the requirement that gasoline contain at least  
49 a specified percentage of ethanol by volume, and making  
50 an appropriation therefor.

51  
52 As shown by the following roll call vote, a majority of all members  
53 elected to the House voted in the affirmative, and Representative Larson  
54 was given permission to offer a Third Reading amendment:

55  
56

	YES	57	NO	07	EXCUSED	01	ABSENT	00
1								
2	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
3	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
4	Berens	Y	Garcia	N	Liston	Y	Riesberg	Y
5	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
6	Buescher	Y	Green	Y	Madden	N	Schultheis	Y
7	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
8	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
9	Carroll M	Y	Hefley	Y	May	N	Stafford	Y
10	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
11	Cerbo	N	Hoppe	N	McFadyen	Y	Sullivan	Y
12	Clapp	N	Jahn	N	McGihon	Y	Todd	Y
13	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
14	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
15	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
16	Curry	Y	King	Y	Penry	Y	White	Y
17	Decker	Y	Knoedler	Y	Plant	Y	Witwer	E
18							Speaker	Y
19								

20 **Third Reading amendment No. 1**, by Representative Larson.

21  
22 Amend revised bill, page 4, line 3, strike "ACCURATELY REFLECT THE  
23 ETHANOL" and substitute "STATE THAT THE PRODUCT BEING DISPENSED  
24 CONTAINS ETHANOL.";

25  
26 strike lines 4 through 6.

27  
28 The amendment was declared **passed** by the following roll call vote:

	YES	57	NO	07	EXCUSED	01	ABSENT	00
31	Balmer	Y	Frangas	N	Larson	Y	Pommer	Y
32	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
33	Berens	Y	Garcia	N	Liston	Y	Riesberg	Y
34	Borodkin	Y	Gardner	N	Lundberg	Y	Rose	Y
35	Buescher	Y	Green	Y	Madden	N	Schultheis	Y
36	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
37	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
38	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
39	Carroll T	Y	Hodge	N	McCluskey	Y	Stengel	Y
40	Cerbo	N	Hoppe	Y	McFadyen	Y	Sullivan	Y
41	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
42	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
43	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
44	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
45	Curry	Y	King	Y	Penry	Y	White	Y
46	Decker	Y	Knoedler	Y	Plant	N	Witwer	E
47							Speaker	Y
48								

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

50 A roll call vote was taken. As shown by the following recorded vote, a  
51 majority of those elected to the House voted in the affirmative, and the  
52 bill, as amended, was declared **passed**.

	YES	42	NO	22	EXCUSED	01	ABSENT	00
54								
55	Balmer	N	Frangas	Y	Larson	N	Pommer	Y
56	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	N



1 **Third Reading amendment No. 1**, by Representative King.

2  
3 Amend revised bill, page 4, line 20, strike "SEXUAL ORIENTATION,".

4  
5 The amendment was declared **lost** by the following roll call vote:

	YES	24	NO	41	EXCUSED	00	ABSENT	00
8	Balmer	Y	Frangas	N	Larson	N	Pommer	N
9	Benefield	N	Gallegos	N	Lindstrom	N	Ragsdale	N
10	Berens	N	Garcia	N	Liston	Y	Riesberg	N
11	Borodkin	N	Gardner	Y	Lundberg	Y	Rose	Y
12	Buescher	N	Green	N	Madden	N	Schultheis	Y
13	Butcher	N	Hall	Y	Marshall	N	Solano	N
14	Cadman	Y	Harvey	Y	Massey	Y	Soper	N
15	Carroll M	N	Hefley	Y	May	Y	Stafford	Y
16	Carroll T	N	Hodge	N	McCluskey	Y	Stengel	Y
17	Cerbo	N	Hoppe	N	McFadyen	N	Sullivan	Y
18	Clapp	Y	Jahn	N	McGihon	N	Todd	N
19	Cloer	Y	Judd	N	McKinley	N	Vigil	N
20	Coleman	N	Kerr A	N	Merrifield	N	Weissmann	N
21	Crane	Y	Kerr J	Y	Paccione	N	Welker	Y
22	Curry	N	King	Y	Penry	Y	White	N
23	Decker	Y	Knoedler	N	Plant	N	Witwer	N
24							Speaker	N

25  
26 As shown by the following roll call vote, a majority of all members  
27 elected to the House voted in the affirmative, and Representative Penry  
28 was given permission to offer a Third Reading amendment:

	YES	48	NO	17	EXCUSED	00	ABSENT	00
31	Balmer	Y	Frangas	N	Larson	Y	Pommer	Y
32	Benefield	N	Gallegos	Y	Lindstrom	N	Ragsdale	Y
33	Berens	Y	Garcia	N	Liston	Y	Riesberg	Y
34	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
35	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
36	Butcher	Y	Hall	Y	Marshall	N	Solano	N
37	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
38	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
39	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
40	Cerbo	N	Hoppe	Y	McFadyen	N	Sullivan	Y
41	Clapp	Y	Jahn	N	McGihon	Y	Todd	N
42	Cloer	Y	Judd	N	McKinley	Y	Vigil	N
43	Coleman	Y	Kerr A	N	Merrifield	N	Weissmann	Y
44	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
45	Curry	N	King	Y	Penry	Y	White	Y
46	Decker	Y	Knoedler	Y	Plant	N	Witwer	Y
47							Speaker	N

48  
49 **Third Reading amendment No. 2**, by Representative Penry.

50  
51 Amend revised bill, page 4, line 18, strike "SERVICES BECAUSE OF A  
52 PERSON'S RACE," and substitute "SERVICES.";

53  
54 strike lines 19 and 20.

55  
56 The amendment was declared **lost** by the following roll call vote:

	YES	32	NO	33	EXCUSED	00	ABSENT	00
1								
2	Balmer	Y	Frangas	N	Larson	Y	Pommer	N
3	Benefield	N	Gallegos	N	Lindstrom	N	Ragsdale	N
4	Berens	Y	Garcia	N	Liston	Y	Riesberg	N
5	Borodkin	N	Gardner	Y	Lundberg	Y	Rose	Y
6	Buescher	Y	Green	N	Madden	N	Schultheis	Y
7	Butcher	N	Hall	Y	Marshall	N	Solano	N
8	Cadman	Y	Harvey	Y	Massey	Y	Soper	N
9	Carroll M	N	Hefley	Y	May	Y	Stafford	Y
10	Carroll T	N	Hodge	N	McCluskey	Y	Stengel	Y
11	Cerbo	N	Hoppe	Y	McFadyen	N	Sullivan	Y
12	Clapp	Y	Jahn	N	McGihon	N	Todd	N
13	Cloer	Y	Judd	N	McKinley	N	Vigil	N
14	Coleman	N	Kerr A	N	Merrifield	N	Weissmann	N
15	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
16	Curry	N	King	Y	Penry	Y	White	Y
17	Decker	Y	Knoedler	Y	Plant	N	Witwer	Y
18							Speaker	N
19								

20 The question being, "Shall the bill, as amended, pass?".  
 21 A roll call vote was taken. As shown by the following recorded vote, a  
 22 majority of those elected to the House voted in the affirmative, and the  
 23 bill, as amended, was declared **passed**.

	YES	42	NO	23	EXCUSED	00	ABSENT	00
25								
26	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
27	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
28	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
29	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
30	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
31	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
32	Cadman	N	Harvey	N	Massey	N	Soper	Y
33	Carroll M	Y	Hefley	N	May	N	Stafford	N
34	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
35	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	N
36	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
37	Cloer	N	Judd	Y	McKinley	Y	Vigil	Y
38	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
39	Crane	N	Kerr J	N	Paccione	Y	Welker	N
40	Curry	Y	King	N	Penry	N	White	Y
41	Decker	N	Knoedler	N	Plant	Y	Witwer	Y
42							Speaker	Y

43 Representatives Cloer, Decker, Kerr J., King, Liston, Rose, Stengel,  
 44 Sullivan requested their names be removed as sponsors.  
 45 Co-sponsors added: Representatives Borodkin, Kerr A, Merrifield.

46  
 47 **SB06-064** by Senator(s) Groff, Hanna; also Representative(s) Garcia,  
 48 Marshall, Weissmann--Concerning the monitoring of  
 49 vendor performance on state contracts, and, in connection  
 50 therewith, requiring the submission of information on the  
 51 use of personal services and sole-source contracts by state  
 52 agencies, requiring the existing state database of  
 53 prospective vendors to include information concerning  
 54 vendor performance, requiring the disclosure of state  
 55 contract work to be performed outside the state,  
 56 establishing procedures for monitoring vendor



1 performance, authorizing the state to pursue specified  
 2 remedies for vendor nonperformance, and making an  
 3 appropriation.  
 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	38	NO	27	EXCUSED	00	ABSENT	00
11	Balmer	Y	Frangas	Y	Larson	N	Pommer	Y
12	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
13	Berens	N	Garcia	Y	Liston	N	Riesberg	Y
14	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
15	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
16	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
17	Cadman	N	Harvey	N	Massey	N	Soper	Y
18	Carroll M	Y	Hefley	N	May	N	Stafford	N
19	Carroll T	Y	Hodge	Y	McCluskey	N	Stengel	N
20	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	N
21	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
22	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
23	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
24	Crane	N	Kerr J	N	Paccione	Y	Welker	N
25	Curry	Y	King	N	Penry	N	White	N
26	Decker	N	Knoedler	N	Plant	Y	Witwer	Y
27							Speaker	Y

28 Co-sponsors added: Representatives Benefield, Carroll M, Cerbo, Coleman,  
 29 Frangas, Green, Hodge, Madden, McFadyen, Soper.  
 30

31  
 32  
 33 On motion of Representative Madden, **SB06-235, 170, 004, 011, 044,**  
 34 **046, 111, 141, 183, 193, 207, 221, 219, 234, 222, 228, 237, 236, 072**  
 35 were added to the Special Orders Calendar on Thursday, May 4, 2006.  
 36

37  
 38 On motion of Representative McGihon, the House resolved itself into  
 39 Committee of the Whole for consideration of Special Orders and she was  
 40 called to the Chair to act as Chairman.  
 41

42  
 43  
 44 **SPECIAL ORDERS--SECOND READING OF BILLS**  
 45

46 The Committee of the Whole having risen, the Chairman reported the  
 47 titles of the following bills had been read (reading at length had been  
 48 dispensed with by unanimous consent), the bills considered and action  
 49 taken thereon as follows:  
 50

51 (Amendments to the committee amendment are to the printed committee  
 52 report which was printed and placed in the members' bill file.)  
 53

54 **SB06-004** by Senator(s) Mitchell, Gordon, Keller, Tochtrop; also  
 55 Representative(s) Butcher, Frangas, McCluskey, Todd--  
 56 Concerning a report by the department of corrections

1 regarding the provision of medical services to state  
2 inmates through the use of telemedicine.  
3

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

7 **SB06-011** by Senator(s) Tapia, Hagedorn, Keller, Shaffer; also  
8 Representative(s) Butcher, Boyd, Green--Concerning a  
9 study to analyze factors that drive the cost of health care  
10 within Pueblo county, and making an appropriation in  
11 connection therewith.  
12

13 Ordered revised and placed on the Calendar for Third Reading and Final  
14 Passage.  
15

16 **SB06-044** by Senator(s) Hagedorn, Shaffer; also Representative(s)  
17 Green--Concerning the provision of health care services to  
18 specified low-income adults, and making an appropriation  
19 therefor.  
20

21 Amendment No. 1, Health and Human Services Report, dated April 24,  
22 2006, and placed in member's bill file; Report also printed in House  
23 Journal, April 25, pages 1454.  
24

25 Amendment No. 2, Appropriations Report, dated May 1, 2006, and placed  
26 in member's bill file; Report also printed in House Journal, May 1, pages  
27 1579-1583.  
28

29 Amendment No. 3, by Representative Green.  
30

31 Amend the Appropriations Committee Report, dated May 1, 2006, page  
32 1, line 12, strike "NINETY" and substitute "EIGHTY-TWO".  
33

34 Page 2 of the committee report, line 2, strike "TEN" and substitute  
35 "EIGHTEEN".  
36

37 Page 5 of the committee report, strike line 19 and substitute the  
38 following:  
39

40 "Page 7, strike lines 1 through 4 and substitute the following:  
41

42 **"SECTION 8. Relocation of harmonizable provisions.** Section  
43 26-15-114, Colorado Revised Statutes, as enacted in section 4 of this act  
44 will be renumbered as and relocated to section 25.5-3-112, Colorado  
45 Revised Statutes, only if SB06-219 is enacted and becomes law."."  
46

47 Amendment No. 4, by Representative Green.  
48

49 Amend the Appropriations Committee Report, dated May 1, 2006, page  
50 1, line 5, change the second period to a semi-colon;  
51

52 after line 5 of the committee report, insert the following:  
53

54 "line 27, strike "FIFTEEN MILLION" and substitute "FOURTEEN MILLION  
55 NINE HUNDRED".  
56

1 Page 3, line 9, in the ITEM & SUBTOTAL column, strike "6,119,760"  
2 and substitute "6,319,760", in the GENERAL FUND column, strike  
3 "3,059,880(M)" and substitute "3,159,880(M)", and, in the FEDERAL  
4 FUNDS column, strike "3,059,880" and substitute "3,159,880";

5  
6 line 26, in the TOTAL column, strike "408,560,424" and substitute  
7 "408,760,424".

8  
9 Page 4, line 13, in the TOTAL column, strike "\$3,188,500,007" and  
10 substitute "\$3,188,700,007", in the GENERAL FUND column, strike  
11 "\$1,081,771,011" and substitute "\$1,081,871,011", and, in the FEDERAL  
12 FUNDS column, strike "\$1,555,792,027" and substitute  
13 "\$1,555,892,027".

14  
15 Page 5, line 6, strike "fifteen million" and substitute "fourteen million  
16 nine hundred";

17  
18 line 7, strike "\$15,062,408)." and substitute "\$14,962,408).";

19  
20 line 12, strike "fifteen million" and substitute "fourteen million nine  
21 hundred";

22  
23 line 13, strike "\$15,062,408)," and substitute "\$14,962,408).".

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

27  
28 **SB06-111** by Senator(s) Groff; also Representative(s) Marshall--  
29 Concerning a requirement of cultural competency for  
30 health-related professionals, and, in connection therewith,  
31 making an appropriation.

32  
33 Amendment No. 1, Education Report, dated April 27, 2006, and placed  
34 in member's bill file; Report also printed in House Journal, April 28, page  
35 1528.

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

39  
40 **SB06-193** by Senator(s) Wiens; also Representative(s) Harvey--  
41 Concerning the development of underground water  
42 storage, and, in connection therewith, making an  
43 appropriation.

44  
45 Ordered revised and placed on the Calendar for Third Reading and Final  
46 Passage.

47  
48 **SB06-207** by Senator(s) Groff, Grossman, Shaffer; also  
49 Representative(s) Borodkin--Concerning a prohibition  
50 against trafficking in humans, and making an  
51 appropriation in connection therewith.

52  
53 Ordered revised and placed on the Calendar for Third Reading and Final  
54 Passage.

55  
56

1 **SB06-221** by Senator(s) Hagedorn; also Representative(s) Garcia,  
2 McCluskey--Concerning the establishment of a trauma  
3 care reimbursement program.  
4

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

8  
9 **SB06-234** by Senator(s) Groff, Grossman; also Representative(s)  
10 Garcia--Concerning best value construction contracting for  
11 public projects procured by the state.  
12

13 Amendment No. 1, State, Veterans, & Military Affairs Report, dated May  
14 2, 2006, and placed in member's bill file; Report also printed in House  
15 Journal, May 2, pages 1694-1695.  
16

17 Amendment No. 2, by Representative Garcia.  
18

19 Amend the State, Veterans, & Military Affairs Committee Report, dated  
20 May 2, 2006, page 1, strike lines 8 through 18 and substitute the  
21 following:  
22

23 "strike lines 5 through 15 and substitute the following:  
24

25 "(2) "ENERGY STAR" MEANS THOSE BUILDINGS THAT:  
26

27 (a) HAVE ACHIEVED A SCORE OF SEVENTY-FIVE OR HIGHER ON THE  
28 RATING SYSTEM MAINTAINED BY THE UNITED STATES ENVIRONMENTAL  
29 PROTECTION AGENCY THAT IS AVAILABLE AT WWW.ENERGYSTAR.GOV OR  
30 ANY SUCCESSOR WEBSITE;  
31

32 (b) MAINTAIN AN INDOOR AIR ENVIRONMENT THAT MEETS OR  
33 EXCEEDS STANDARDS OF THE UNITED STATES ENVIRONMENTAL  
34 PROTECTION AGENCY; AND  
35

36 (c) AS A RESULT OF THE FACTORS SPECIFIED IN PARAGRAPH (a) OR  
37 (b) OF THIS SUBSECTION (2), HAVE BEEN GRANTED THE ENERGY STAR  
38 LABEL."."  
39

40 Page 2 of the committee report, strike line 1;  
41

42 line 2, before "line", insert "Page 5,";  
43

44 strike lines 4 and 5 of the committee report and substitute the following:  
45

46 "strike line 27 and substitute the following:  
47

48 "SUBCONTRACTORS WITH ENERGY STAR"."  
49

50 As amended, ordered revised and placed on the Calendar for Third  
51 Reading and Final Passage.  
52

53  
54 **SB06-228** by Senator(s) Boyd, Mitchell, Fitz-Gerald, Groff; also  
55 Representative(s) May M., Carroll T.--Concerning the  
56 allocation of revenue received by the scientific and

1 cultural facilities district to pay the reasonable costs  
2 related to a coordinated election held on behalf of the  
3 district.  
4

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

8 **SB06-237** by Senator(s) Grossman, Hagedorn, Isgar, Spence, Teck;  
9 also Representative(s) Balmer, Benefield, Carroll T.,  
10 McKinley, Stengel--Concerning interoperable  
11 communications among public safety radio systems.  
12

13 Ordered revised and placed on the Calendar for Third Reading and Final  
14 Passage.  
15

16 **SB06-236** by Senator(s) Isgar; also Representative(s) Curry--  
17 Concerning an exclusion from the definition of exploration  
18 for a construction material for activities occurring within  
19 a limited area.  
20

21 Ordered revised and placed on the Calendar for Third Reading and Final  
22 Passage.  
23

24 **SB06-072** by Senator(s) Tochtrop; also Representative(s) Harvey--  
25 Concerning increasing penalties for careless driving, and  
26 making an appropriation in connection therewith.  
27

28 Amendment No. 1, Transportation & Energy Report, dated April 27,  
29 2006, and placed in member's bill file; Report also printed in House  
30 Journal, April 27, pages 1504-1505.  
31

32 Amendment No. 2, Appropriations Report, dated May 1, 2006, and placed  
33 in member's bill file; Report also printed in House Journal, May 1, page  
34 1573.  
35

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

39 **SB06-179** by Senator(s) Isgar; also Representative(s) Penry--  
40 Concerning additional financial support for water projects.  
41

42 (Previously amended as printed in House Journal, May 3, page 1729.)  
43

44 Amendment No. 3, by Representative Penry.  
45

46 Amend reengrossed bill, page 3, line 19, strike "TO:" and substitute "TO  
47 THE CATEGORIES LISTED IN THIS SUBPARAGRAPH (III). THE CRITERIA AND  
48 GUIDELINES SHALL SPECIFY THAT THE FIRST PRIORITY FOR THE  
49 ALLOCATION OF FUNDS FROM THE ACCOUNT IS FOR PROJECTS  
50 RECOMMENDED BY ONE OR MORE BASIN ROUNDTABLES. THE COLORADO  
51 WATER CONSERVATION BOARD AND THE INTERBASIN COMPACT  
52 COMMITTEE SHALL JOINTLY ESTABLISH GUIDELINES FOR PROJECTS NOT  
53 RECEIVING APPROVAL THROUGH THE ROUNDTABLE PROCESS. THE  
54 CRITERIA SHALL ENSURE THAT THE ALLOCATIONS WILL ASSIST IN MEETING  
55 THOSE WATER SUPPLY NEEDS IDENTIFIED UNDER SECTION 37-75-104 (2)  
56 (c), C.R.S., IN A MANNER CONSISTENT WITH SECTION 37-75-102, C.R.S.,

1 AND SHALL FACILITATE BOTH STRUCTURAL AND NONSTRUCTURAL  
2 PROJECTS OR METHODS. ELIGIBLE WATER ACTIVITIES INCLUDE THE  
3 FOLLOWING:".

4  
5 As amended, ordered revised and placed on the Calendar for Third  
6 Reading and Final Passage.

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  
13 Amendment No. 1, by Representative Vigil.

14  
15 Amend reengrossed bill, page 2, line 13, after the period, add "WHEN  
16 ACCESSING CONFIDENTIAL HEALTH RECORDS, THE STATE AUDITOR SHALL  
17 DETERMINE THE NECESSITY OF ACCESSING PERSONAL IDENTIFYING  
18 HEALTH INFORMATION FOR THE PURPOSE OF ACHIEVING THE AUDIT  
19 OBJECTIVES.".

20  
21 As amended, ordered revised and placed on the Calendar for Third  
22 Reading and Final Passage.

23  
24 **SB06-122** by Senator(s) Traylor; also Representative(s) Weissmann--  
25 Concerning creation of the adolescent substance abuse  
26 prevention and treatment fund, and making an  
27 appropriation in connection therewith.

28  
29 Ordered revised and placed on the Calendar for Third Reading and Final  
30 Passage.

31  
32 **SB06-136** by Senator(s) Tapia, Tochtrop; also Representative(s)  
33 Butcher, Cerbo--Concerning authorization of a nursing  
34 teacher loan forgiveness pilot program, and making an  
35 appropriation therefor.

36  
37 Ordered revised and placed on the Calendar for Third Reading and Final  
38 Passage.

39  
40 A motion by Representative Madden that the Committee rise, report  
41 progress and beg leave to sit again at 2:00 p.m., was adopted by  
42 unanimous consent. (Continued on page 1769.)

43  
44  
45 

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House reconvened.

46  
47 The Committee of the Whole reported it had risen, reported progress and  
48 would sit again at 2:00 p.m.

49  
50 

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51  
52  
53  
54  
55

1           **APPOINTMENTS TO CONFERENCE COMMITTEES**

2  
3 The Speaker appointed House conferees to the First Conference  
4 Committees as follows:

5  
6 **SB06-036**--Representatives Marshall, Chairman, Weissmann and Berens.

7  
8 **SB06-224**--Representatives Harvey, Chairman, Pommer and McFadyen.  
9

10  
11  
12           **CONSENT GRANTED TO CONFERENCE COMMITTEE**

13  
14 Representative Harvey moved that the First Conference Committee on  
15 **SB06-224** be granted permission to go beyond the scope of the difference  
16 between the House and the Senate. The motion was passed by the  
17 following roll call vote:  
18

19	YES	65	NO	00	EXCUSED	00	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	Y	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	Y
29	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
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  
38  
39  
40           **CONSIDERATION OF CONFERENCE COMMITTEE REPORTS**

41  
42 **HB06-1090** by Representative(s) Green; also Senator(s) Tupa--  
43 Concerning unlawful sexual behavior.  
44

45 (Majority and Minority Conference Committee Reports printed in House  
46 Journal, May 3, pages 1723-1726.)  
47

48 Representative Green moved that the Majority Conference Committee  
49 Report be adopted. A substitute motion by Representative McGihon that  
50 the House reject the First Majority Conference Committee Report, that  
51 the Conference Committee be discharged and that a Second Conference  
52 Committee be appointed with permission to go beyond the scope of the  
53 differences between the House and the Senate was declared **passed** by the  
54 following roll call vote:  
55

	YES	40	NO	25	EXCUSED	00	ABSENT	00
1								
2	Balmer	N	Frangas	N	Larson	N	Pommer	Y
3	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
4	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
5	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
6	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
7	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
8	Cadman	N	Harvey	N	Massey	N	Soper	Y
9	Carroll M	Y	Hefley	Y	May	N	Stafford	Y
10	Carroll T	Y	Hodge	Y	McCluskey	N	Stengel	N
11	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	N
12	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
13	Cloer	Y	Judd	Y	McKinley	Y	Vigil	N
14	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
15	Crane	N	Kerr J	N	Paccione	Y	Welker	N
16	Curry	Y	King	N	Penry	N	White	N
17	Decker	N	Knoedler	N	Plant	Y	Witwer	N
18							Speaker	Y

19 The Speaker appointed Representatives McGihon, Chairman, Green and  
20 Gardner as House conferees on the bill.

21

22 **HB06-1209** by Representative(s) Witwer, Carroll T., Crane, Harvey,  
23 Hefley, Jahn, Kerr, King, Marshall, Penry, Stafford; also  
24 Senator(s) Mitchell, Grossman--Concerning the voluntary  
25 contribution designation benefiting the Colorado special  
26 olympics fund that appears on the state individual income  
27 tax return forms, and, in connection therewith, extending  
28 the period for the contribution designation.

29

30 (Conference Committee Report printed in House Journal, April 28, page  
31 1548.)

32

33 On motion of Representative Witwer, the Conference Committee Report  
34 was **adopted** by the following roll call vote:

35

	YES	65	NO	00	EXCUSED	00	ABSENT	00
36								
37	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
38	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
39	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
40	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
41	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
42	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
43	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
44	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
45	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
46	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
47	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
48	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
49	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
50	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
51	Curry	Y	King	Y	Penry	Y	White	Y
52	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
53							Speaker	Y

54

55



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

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

24 Co-sponsor added: Representative Green.

25  
 26 **HB06-1288** by Representative(s) Todd, Benefield, Massey, Merrifield,  
 27 Penry, Solano; also Senator(s) Windels--Concerning the  
 28 election of nonpartisan school directors.

29  
 30 (Conference Committee Report printed in House Journal, April 28, page  
 31 1548.)

32  
 33 On motion of Representative Todd, the Conference Committee Report  
 34 was **adopted** by the following roll call vote:

	YES	62	NO	03	EXCUSED	00	ABSENT	00
37	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
38	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
39	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
40	Borodkin	Y	Gardner	N	Lundberg	N	Rose	Y
41	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
42	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
43	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
44	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
45	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
46	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	Y
47	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
48	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
49	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
50	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
51	Curry	Y	King	Y	Penry	Y	White	Y
52	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
53							Speaker	Y

54  
 55

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

	YES	56	NO	09	EXCUSED	00	ABSENT	00
7	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
8	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
9	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
10	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
11	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
12	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
13	Cadman	N	Harvey	N	Massey	Y	Soper	Y
14	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
15	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
16	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	Y
17	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
18	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
19	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
20	Crane	Y	Kerr J	Y	Paccione	Y	Welker	N
21	Curry	Y	King	Y	Penry	Y	White	Y
22	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
23							Speaker	Y

24  
 25 **SB06-209** by Senator(s) Windels; also Representative(s) Paccione,  
 26 Massey--Concerning creation of a task force to study  
 27 Colorado's system of higher education financing.

28  
 29 (Conference Committee Report printed in House Journal, May 2, page  
 30 1696.)

31  
 32 On motion of Representative Paccione, the Conference Committee Report  
 33 was **adopted** by the following roll call vote:

	YES	45	NO	20	EXCUSED	00	ABSENT	00
36	Balmer	N	Frangas	Y	Larson	Y	Pommer	Y
37	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
38	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
39	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
40	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
41	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
42	Cadman	N	Harvey	N	Massey	Y	Soper	Y
43	Carroll M	Y	Hefley	N	May	N	Stafford	Y
44	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
45	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	N
46	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
47	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
48	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
49	Crane	N	Kerr J	Y	Paccione	Y	Welker	N
50	Curry	Y	King	N	Penry	N	White	N
51	Decker	N	Knoedler	N	Plant	Y	Witwer	Y
52							Speaker	Y

53  
 54  
 55

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

	YES	43	NO	22	EXCUSED	00	ABSENT	00
7	Balmer	N	Frangas	Y	Larson	Y	Pommer	Y
8	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
9	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
10	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
11	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
12	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
13	Cadman	N	Harvey	N	Massey	Y	Soper	Y
14	Carroll M	Y	Hefley	N	May	N	Stafford	N
15	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
16	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	N
17	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
18	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
19	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
20	Crane	Y	Kerr J	Y	Paccione	Y	Welker	N
21	Curry	Y	King	N	Penry	N	White	N
22	Decker	N	Knoedler	N	Plant	Y	Witwer	Y
23							Speaker	Y

24 Co-sponsors added: Representatives Berens, Jahn.

25  
 26 **SB06-094** by Senator(s) Spence; also Representative(s) Lindstrom--  
 27 Concerning the regulation of motor carriers by the public  
 28 utilities commission.

29  
 30 (Conference Committee Report printed in House Journal, May 3, page  
 31 1726.)

32  
 33 On motion of Representative Lindstrom, the Conference Committee  
 34 Report was **adopted** by the following roll call vote:

	YES	55	NO	10	EXCUSED	00	ABSENT	00
37	Balmer	Y	Frangas	Y	Larson	Y	Pommer	N
38	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
39	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
40	Borodkin	Y	Gardner	N	Lundberg	N	Rose	Y
41	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
42	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
43	Cadman	Y	Harvey	N	Massey	Y	Soper	Y
44	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
45	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
46	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
47	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
48	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
49	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	N
50	Crane	Y	Kerr J	Y	Paccione	Y	Welker	N
51	Curry	Y	King	N	Penry	N	White	Y
52	Decker	Y	Knoedler	N	Plant	Y	Witwer	Y
53							Speaker	Y

54  
 55

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

	YES	64	NO	01	EXCUSED	00	ABSENT	00
7	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
8	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
9	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
10	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
11	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
12	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
13	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
14	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
15	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
16	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
17	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
18	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
19	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
20	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
21	Curry	Y	King	Y	Penry	Y	White	Y
22	Decker	Y	Knoedler	Y	Plant	N	Witwer	Y
23							Speaker	Y

## REPORTS OF COMMITTEE OF REFERENCE

### APPROPRIATIONS

30 After consideration on the merits, the Committee recommends the  
 31 following:

33 **SB06-031** be referred to the Committee of the Whole with favorable  
 34 recommendation.

37 **SB06-114** be amended as follows, and as so amended, be referred to  
 38 the Committee of the Whole with favorable  
 39 recommendation:

41 Amend reengrossed bill, page 3, after line 23, insert the following:

42 "(6) ALL MONEYS COLLECTED PURSUANT TO THIS SECTION SHALL  
 43 BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE  
 44 SAME TO THE HOUSED COMMERCIAL SWINE FEEDING OPERATION FUND,  
 45 WHICH FUND IS HEREBY CREATED IN THE STATE TREASURY. THE MONEYS  
 46 IN SUCH FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE  
 47 GENERAL ASSEMBLY FOR THE PURPOSES OF THIS SECTION, INCLUDING THE  
 48 REIMBURSEMENT OF LOCAL AND REGIONAL HEALTH DEPARTMENTS FOR  
 49 ASSISTANCE IN THE ENFORCEMENT OF THIS SECTION. ANY INTEREST  
 50 EARNED ON MONEYS IN THE FUND SHALL REMAIN IN THE FUND AND SHALL  
 51 NOT REVERT TO THE GENERAL FUND AT THE END OF ANY FISCAL YEAR.

53 **SECTION 2. Appropriation.** (1) In addition to any other  
 54 appropriation, there is hereby appropriated, out of any moneys in the  
 55 housed commercial swine feeding operation fund created in section 25-7-  
 56 138 (6), Colorado Revised Statutes, not otherwise appropriated, to the

1 department of public health and environment, for the fiscal year  
2 beginning July 1, 2006, the sum of fifty-two thousand three hundred  
3 twelve dollars (\$52,312) and 0.5 FTE, or so much thereof as may be  
4 necessary, for the implementation of this act.

5  
6 (2) In addition to any other appropriation, there is hereby  
7 appropriated to the department of law, for the fiscal year beginning  
8 July 1, 2006, the sum of four thousand eight hundred thirty-four dollars  
9 (\$4,834), or so much thereof as may be necessary, for the provision of  
10 legal services to the department of public health and environment related  
11 to the implementation of this act. Said sum shall be from cash funds  
12 exempt received from the department of public health and environment  
13 out of the appropriation made in subsection (1) of this section."

14  
15 Renumber succeeding section accordingly.

16  
17 Page 1, line 103, strike "**OPERATIONS.**" and substitute "**OPERATIONS, AND**  
18 **MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**".

19  
20  
21  
22 **SB06-225** be amended as follows, and as so amended, be referred to  
23 the Committee of the Whole with favorable  
24 recommendation:

25  
26 Amend reengrossed bill, page 2, line 7, strike "TWELVE" and substitute  
27 "NO MORE THAN FOUR";

28  
29 line 9, strike "TWENTY-FOUR" and substitute "NO MORE THAN TWELVE";

30  
31 lines 17 and 18, strike "one million five hundred forty-two thousand five  
32 hundred sixty-three dollars (\$1,542,563) and 12.0 FTE," and substitute  
33 "four hundred thirty-eight thousand three hundred eighty-eight dollars  
34 (\$438,388) and 4.0 FTE,".

35  
36  
37  
38 **SB06-227** be referred to the Committee of the Whole with favorable  
39 recommendation.

40  
41  
42 **SB06-230** be referred to the Committee of the Whole with favorable  
43 recommendation.

44  
45  
46 **SB06-239** be amended as follows, and as so amended, be referred to  
47 the Committee of the Whole with favorable  
48 recommendation:

49  
50 Amend reengrossed bill, page 18, strike "12-54-114 (1) (b)," and  
51 substitute "12-54-114 (2),".

52  
53  
54  
55 **SJR06-042** be postponed indefinitely.

56

**SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

1  
2  
3 The Speaker has signed: **SB06-001, 028, 100.**  
4  
5  
6

**MESSAGES FROM THE SENATE**

7  
8  
9 The Senate voted to concur in House amendments to SB06-110,  
10 SB06-069, SB06-218, SB06-148, SB06-149, SB06-106, SB06-130,  
11 SB06-165, SB06-048, and repassed the bills as amended.  
12

13 The Senate has voted not to concur in House Amendments to SB06-206,  
14 and requests that a Conference Committee be appointed. The President  
15 appointed Senators Groff, Chair, Shaffer, and Traylor, as members of the  
16 First Conference Committee on the part of the Senate. The bill is  
17 transmitted herewith.  
18

19 The Senate voted to reject House Amendments to SB06-059 and to  
20 adhere to its position. The bill is returned herewith.  
21

22 The Senate has voted not to concur in House Amendments to SB06-089,  
23 and requests that a Conference Committee be appointed. The President  
24 appointed Senators Hagedorn- Chair, Tochtrop, and Taylor, as members  
25 of the First Conference Committee on the part of the Senate. The bill is  
26 transmitted herewith.  
27

28 The Senate has passed on Third Reading and transmitted to the Revisor  
29 of Statutes:

30  
31 HB06-1344 amended as printed in Senate Journal, May 3, 2006  
32 pages 1189-1190.  
33

34 The Senate has postponed indefinitely HB06-1402. The bill is returned  
35 herewith.  
36

37  
38 The Senate has adopted and transmits herewith: SJR06-033.  
39

40 In response to the request of the House for a Conference Committee on  
41 HB06-1386, the President appoints Senators Tapia-Chair, Keller, and  
42 Owen as conferees on the First Conference Committee on HB06-1386.  
43 The Senate has granted permission to go beyond the scope of the  
44 difference between the two houses.  
45

46 The Senate has postponed indefinitely HB06-1013. The bill is returned  
47 herewith.  
48

49  
50 The Senate has adopted and transmits herewith: SJM06-004.  
51

52 The Senate voted to concur in House amendments to SB06-014 and  
53 SB06-045 and repassed the bills as amended.  
54  
55  
56

1                                   **MESSAGES FROM THE REVISOR**

2  
3 We herewith transmit:  
4 Without comment, as amended, HB06-1011.

5  
6  
7 We herewith transmit:  
8 Without comment, as amended, HB06-1344.

9  
10  
11                                   **INTRODUCTION OF RESOLUTION**

12  
13  
14 The following resolution was read by title and laid over one day under the  
15 rules:

16  
17 **SJR06-033** by Senator(s) Boyd; also Representative(s) Riesberg--  
18 Concerning the participation of state employees who are  
19 retired military personnel in the TRICARE Military Health  
20 System.

21  
22  
23 House in recess. House reconvened.

24  
25  
26                                   **CHANGE IN SPONSORSHIP**

27  
28  
29 Speaker Romanoff announced the following:  
30 **SB06-183**--Representative Buescher to replace Representative Curry as  
31 House sponsor.

32  
33  
34                                   **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

35  
36  
37 **HB06-1006** by Representative(s) Butcher; also Senator(s) Tapi--  
38 Concerning referral by an insurance company of an  
39 insured to a personal property repair business, and making  
40 an appropriation in connection therewith.

41  
42 (Amended as printed in Senate Journal, May 1, page 1130.)

43  
44 Representative Butcher moved that the House **not concur** in Senate  
45 amendments and that a Conference Committee be appointed. The motion  
46 was declared **passed** by the following roll call vote:

47

YES	65	NO	00	EXCUSED	00	ABSENT	00
Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
Berens	Y	Garcia	Y	Liston	Y	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

56

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

10 The Speaker appointed Representatives Butcher, Chairman, Carroll T.,  
 11 and Penry as House conferees to the bill.

12  
 13 **HB06-1337** by Representative(s) Butcher, Gallegos, McKinley; also  
 14 Senator(s) Entz, Taylor--Concerning penalties levied  
 15 against a person who violates water quality control  
 16 provisions, and making an appropriation therewith.

17  
 18 (Amended as printed in Senate Journal, May 2, pages 1159,1166-  
 19 1167,1180-1181, and amended on Third Reading, May 3.)

20  
 21 Representative Butcher moved that the House **not concur** in Senate  
 22 amendments and that a Conference Committee be appointed. A substitute  
 23 motion by Representative Hoppe that the House **concur** in Senate  
 24 amendments was declared **lost** by the following roll call vote:

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

44  
 45 Representative Butcher's motion that the House **not concur** in Senate  
 46 amendments and that a Conference Committee be appointed was declared  
 47 **passed** by the following roll call vote:

49	YES	56	NO	09	EXCUSED	00	ABSENT	00
50	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
51	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
52	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
53	Borodkin	Y	Gardner	Y	Lundberg	N	Rose	N
54	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
55	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
56	Cadman	N	Harvey	Y	Massey	Y	Soper	Y



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

11 The Speaker appointed Representatives Butcher, Chairman, Curry and  
12 Penry as House conferees to the bill.

13  
14 **HB06-1257** by Representative(s) Green; also Senator(s) Keller--  
15 Concerning noise mitigation measures along state  
16 highways, and making an appropriation therefor.

17  
18 (Amended as printed in Senate Journal, May 2, page 1160.)

19  
20 Representative Green moved that the House **not concur** in Senate  
21 amendments and that a Conference Committee be appointed. The motion  
22 was declared **passed** by the following roll call vote:

23	YES	64	NO	01	EXCUSED	00	ABSENT	00
24	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
25	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
26	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
27	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
28	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
29	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
30	Cadman	N	Harvey	Y	Massey	Y	Soper	Y
31	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
32	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
33	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
34	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
35	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
36	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
37	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
38	Curry	Y	King	Y	Penry	Y	White	Y
39	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
40							Speaker	Y

41  
42 The Speaker appointed Representatives Pommer, Chairman, Green and  
43 Hefley as House conferees to the bill.

44  
45  
46 On motion of Speaker Romanoff, the rules were suspended for immediate  
47 consideration of Senate amendments to HB06-1344.

48  
49 **HB06-1344** by Representative(s) Plant, Madden; also Senator(s) Fitz-  
50 Gerald--Concerning authorization of domestic partnerships  
51 between same-sex couples, and, in connection therewith,  
52 creating the "Colorado Domestic Partnership Benefits and  
53 Responsibilities Act" to extend benefits, protections, and  
54 responsibilities to such couples, and making an  
55 appropriation.  
56

1 (Amended as printed in Senate Journal, May, page.)  
 2  
 3 Representative Plant moved that the House **concur** in Senate  
 4 amendments. The motion was declared **passed** by the following roll call  
 5 vote:  
 6

	YES	38	NO	27	EXCUSED	00	ABSENT	00
8	Balmer	N	Frangas	Y	Larson	Y	Pommer	Y
9	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
10	Berens	N	Garcia	Y	Liston	N	Riesberg	Y
11	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
12	Buescher	N	Green	Y	Madden	Y	Schultheis	N
13	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
14	Cadman	N	Harvey	N	Massey	N	Soper	Y
15	Carroll M	Y	Hefley	N	May	N	Stafford	N
16	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
17	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	N
18	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
19	Cloer	N	Judd	Y	McKinley	Y	Vigil	Y
20	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
21	Crane	N	Kerr J	N	Paccione	Y	Welker	N
22	Curry	Y	King	N	Penry	N	White	Y
23	Decker	N	Knoedler	N	Plant	Y	Witwer	Y
24							Speaker	Y

25  
 26 The question being, "Shall the bill, as amended, pass?".  
 27 A roll call vote was taken. As shown by the following recorded vote, a  
 28 majority of those elected to the House voted in the affirmative, and the  
 29 bill, as amended, was declared **repassed**.  
 30

	YES	38	NO	27	EXCUSED	00	ABSENT	00
32	Balmer	N	Frangas	Y	Larson	Y	Pommer	Y
33	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
34	Berens	N	Garcia	Y	Liston	N	Riesberg	Y
35	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
36	Buescher	N	Green	Y	Madden	Y	Schultheis	N
37	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
38	Cadman	N	Harvey	N	Massey	N	Soper	Y
39	Carroll M	Y	Hefley	N	May	N	Stafford	N
40	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
41	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	N
42	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
43	Cloer	N	Judd	Y	McKinley	Y	Vigil	Y
44	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
45	Crane	N	Kerr J	N	Paccione	Y	Welker	N
46	Curry	Y	King	N	Penry	N	White	Y
47	Decker	N	Knoedler	N	Plant	Y	Witwer	Y
48							Speaker	Y

49 Co-sponsor added: Representative Paccione.  
 50  
 51  
 52  
 53  
 54  
 55

1           **IMMEDIATE RECONSIDERATION OF HB06-1344**

2  
3 Having voted on the prevailing side, Representative Plant moved for  
4 immediate reconsideration of . As shown by the following recorded vote  
5 less than a two-thirds majority of those elected to the House voted in the  
6 affirmative and the motion was declared **lost**:  
7

	YES	27	NO	38	EXCUSED	00	ABSENT	00
9 Balmer	Y		Frangas	N	Larson	N	Pommer	N
10 Benefield	N		Gallegos	N	Lindstrom	N	Ragsdale	N
11 Berens	Y		Garcia	N	Liston	Y	Riesberg	N
12 Borodkin	N		Gardner	Y	Lundberg	Y	Rose	Y
13 Buescher	Y		Green	N	Madden	N	Schultheis	Y
14 Butcher	N		Hall	Y	Marshall	N	Solano	N
15 Cadman	Y		Harvey	Y	Massey	Y	Soper	N
16 Carroll M	N		Hefley	Y	May	Y	Stafford	Y
17 Carroll T	N		Hodge	N	McCluskey	N	Stengel	Y
18 Cerbo	N		Hoppe	Y	McFadyen	N	Sullivan	Y
19 Clapp	Y		Jahn	N	McGihon	N	Todd	N
20 Cloer	Y		Judd	N	McKinley	N	Vigil	N
21 Coleman	N		Kerr A	N	Merrifield	N	Weissmann	N
22 Crane	Y		Kerr J	Y	Paccione	N	Welker	Y
23 Curry	N		King	Y	Penry	Y	White	N
24 Decker	Y		Knoedler	Y	Plant	N	Witwer	N
25							Speaker	N

26  
27  
28  
29           **APPOINTMENTS TO CONFERENCE COMMITTEE**

30  
31 The Speaker appointed House conferees to the First Conference  
32 Committee as follows:  
33

34 **SB06-206**--Representatives Green, Chairman, Carroll T., and Crane.  
35  
36

37 On motion of Representative Madden, **SB06-230, 225, 031, 227, 114, 239**  
38 were added to the Special Orders Calendar on Thursday, May 4, 2006.  
39

40  
41 On motion of Representative McGihon, the House resolved itself into  
42 Committee of the Whole for continuation of consideration of Special  
43 Orders, and she returned to the Chair to act as Chairman.  
44

45  
46  
47           **SPECIAL ORDERS--SECOND READING OF BILLS**

48           (Continued from page 1756)

49  
50 **SB06-096** by Senator(s) Taylor; also Representative(s) Butcher,  
51 Penry--Concerning resources to fight wildfires.  
52

53 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,  
54 dated April 28, 2006, and placed in member's bill file; Report also printed  
55 in House Journal, April 28, pages 1552-1553.  
56

1 Amendment No. 2, by Representative Plant.

2

3 Amend reengrossed bill, page 4, after line 21, insert the following:

4

5 "(c) THE COLORADO STATE FOREST SERVICE MAY USE THE MONEYS  
6 IN THE WILDFIRE PREPAREDNESS FUND TO PROVIDE FUNDING OR  
7 REIMBURSEMENT FOR THE PURCHASE OF FIRE SHELTERS BY VOLUNTEER  
8 FIRE DEPARTMENTS IN ORDER TO COMPLY WITH APPLICABLE FEDERAL  
9 REQUIREMENTS."

10

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

13

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

17

18 Amendment No. 1, Finance Report, dated May 2, 2006, and placed in  
19 member's bill file; Report also printed in House Journal, May 2,  
20 page 1693.

21

22 Amendment No. 2, by Representative Marshall.

23 Amend reengrossed bill, page 15, line 27, after "YEAR.", add "AT SUCH  
24 TIME AS A DIVISION IS DETERMINED IN THE ANNUAL ACTUARIAL  
25 VALUATION TO HAVE REACHED A THIRTY-YEAR OR LESS AMORTIZATION  
26 PERIOD OF ITS UNFUNDED LIABILITIES, THE BOARD SHALL CAUSE TO BE  
27 CONDUCTED AN ACTUARIAL STUDY TO ASSESS THE AMORTIZATION  
28 EQUALIZATION DISBURSEMENT AND THE SUPPLEMENTAL AMORTIZATION  
29 EQUALIZATION DISBURSEMENT AND THE BOARD MAY MAKE APPROPRIATE  
30 RECOMMENDATIONS TO THE GENERAL ASSEMBLY."

31

32 Amendment No. 3, by Representative Marshall.

33 Amend reengrossed bill, page 5, line 27, strike "TWENTY" and substitute  
34 "FIFTEEN".

35

36 Page 6, line 6, strike "EDUCATION;" and substitute "EDUCATION UNTIL, ON  
37 OR AFTER JANUARY 1, 2007, ONE OF THOSE TRUSTEE POSITIONS, UNLESS  
38 IT IS THE SOLE POSITION HELD BY AN EMPLOYEE OF A STATE INSTITUTION  
39 OF HIGHER EDUCATION, IS VACATED AND THEREAFTER THERE SHALL BE  
40 THREE MEMBERS OF THE STATE DIVISION ELECTED BY THE MEMBERS OF  
41 THAT DIVISION, AT LEAST ONE OF WHOM SHALL BE AN EMPLOYEE OF A  
42 STATE INSTITUTION OF HIGHER EDUCATION AND AT LEAST ONE OF WHOM  
43 SHALL NOT BE AN EMPLOYEE OF A STATE INSTITUTION OF HIGHER  
44 EDUCATION;";

45

46 line 8, strike "DIVISION;" and substitute "DIVISION UNTIL, ON OR AFTER  
47 JANUARY 1, 2007, ONE OF THOSE TRUSTEE POSITIONS IS VACATED AND  
48 THEREAFTER THERE SHALL BE FOUR MEMBERS OF THE SCHOOL DIVISION  
49 ELECTED BY THE MEMBERS OF THAT DIVISION;";

50

51 line 10, strike "DIVISION;" and substitute "DIVISION UNTIL, ON OR AFTER  
52 JANUARY 1, 2007, ONE OF THOSE TRUSTEE POSITIONS IS VACATED AND  
53 THEREAFTER THERE SHALL BE ONE MEMBER OF THE LOCAL GOVERNMENT  
54 DIVISION ELECTED BY THE MEMBERS OF THAT DIVISION;";

55

56 line 20, strike "FIVE" and substitute "THREE";

1 line 25, after "ANALYSIS.", add "OF THE THREE TRUSTEES APPOINTED BY  
2 THE GOVERNOR, NO MORE THAN TWO SHALL BE FROM THE SAME POLITICAL  
3 PARTY."  
4  
5 Page 7, line 4, strike "FIVE" and substitute "THREE";  
6  
7 strike lines 6 through 8 and substitute the following:  
8 "WITH A ONE-YEAR TERM, A TWO-YEAR TERM, AND A THREE-YEAR TERM  
9 WITH NO TRUSTEE ASSIGNED THE SAME TERM LENGTH."  
10  
11 line 9, strike "TERMS."  
12  
13 line 21, strike "FIVE" and substitute "THREE".  
14  
15 Page 8, strike lines 13 through 19.  
16  
17 As amended, ordered revised and placed on the Calendar for Third  
18 Reading and Final Passage.  
19  
20 **SB06-239** by Senator(s) Johnson; also Representative(s) Stafford--  
21 Concerning the regulation of persons who provide for the  
22 final disposition of dead human bodies in the course of  
23 business, and making an appropriation therefor.  
24  
25 Amendment No. 1, Appropriations Report, dated May 4, 2006, and placed  
26 in member's bill file; Report also printed in House Journal, May 4, page  
27 1763.  
28  
29 Amendment No. 2, by Representative Stafford.  
30 Amend reengrossed bill, page 8, line 19, strike "BY" and substitute  
31 "EFFECTIVE".  
32  
33 Page 9, line 5, strike "BY" and substitute "EFFECTIVE";  
34  
35 line 11, strike "BY" and substitute "EFFECTIVE";  
36  
37 line 16, strike "BY" and substitute "EFFECTIVE".  
38  
39 As amended, ordered revised and placed on the Calendar for Third  
40 Reading and Final Passage.  
41  
42 **SB06-230** by Senator(s) Boyd; also Representative(s) Benefield--  
43 Concerning the regulation of wholesalers of prescription  
44 drugs, and making an appropriation therefor.  
45  
46 Amendment No. 1, Health and Human Services Report, dated May 1,  
47 2006, and placed in member's bill file; Report also printed in House  
48 Journal, May 2, pages 1667-1669.  
49  
50 Amendment No. 2, Finance Report, dated May 3, 2006, and placed in  
51 member's bill file; Report also printed in House Journal, May 3, pages  
52 1740-1741.  
53  
54 As amended, ordered revised and placed on the Calendar for Third  
55 Reading and Final Passage.  
56

1 **SB06-219** by Senator(s) Keller; also Representative(s) Jahn--  
2 Concerning an administrative reorganization of programs  
3 administered by the state department of health care policy  
4 and financing, and making an appropriation therefor.  
5

6 Amendment No. 1, Health and Human Services Report, dated May 1,  
7 2006, and placed in member's bill file; Report also printed in House  
8 Journal, May 2, pages 1676-1677.  
9

10 Amendment No. 2, by Representative Jahn.

11 Amend reengrossed bill, page 383, line 11, strike "IN STATUTE OR RULE  
12 OF THE";

13  
14 line 12, strike "MEDICAL SERVICES BOARD".

15  
16  
17 As amended, ordered revised and placed on the Calendar for Third  
18 Reading and Final Passage.

19  
20 **SB06-046** by Senator(s) Tupa, Bacon, Windels, Williams; also  
21 Representative(s) Merrifield, Benefield, Pommer--  
22 Concerning the study of an education system ranging from  
23 pre-kindergarten through higher education, and, in  
24 connection therewith, creating a legislative oversight  
25 committee and special council, and making an  
26 appropriation.  
27

28 Amendment No. 1, Appropriations Report, dated May 1, 2006, and placed  
29 in member's bill file; Report also printed in House Journal, May 1, page  
30 1583.  
31

32 Amendment No. 2, by Representative Merrifield.

33  
34 Amend the Appropriations Committee Report, dated May 1, 2006, page  
35 1, line 1, strike "line 9," and substitute "10,";

36  
37 line 3, strike "10," and substitute "11,";

38  
39 line 5, strike "13," and substitute "16,";

40  
41 line 6, strike "14 through 18;" and substitute "17 through 21,";

42  
43 line 7, strike "19," and substitute "22,".  
44

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

47  
48 **SB06-031** by Senator(s) Jones; also Representative(s) Merrifield--  
49 Concerning authorizing payment of college opportunity  
50 fund stipends for education programs on military bases.  
51

52 Ordered revised and placed on the Calendar for Third Reading and Final  
53 Passage.  
54  
55

- 1 **SB06-183** by Senator(s) Isgar, Taylor, Entz, Kester; also  
2 Representative(s) Buescher--Concerning the water  
3 resources research institute, and, in connection therewith,  
4 making an appropriation.  
5
- 6 Ordered revised and placed on the Calendar for Third Reading and Final  
7 Passage.  
8
- 9 **SB06-173** by Senator(s) Entz, Isgar; also Representative(s) Marshall-  
10 -Concerning mileage allowances for state officers and  
11 employees.  
12
- 13 Amendment No. 1, Appropriations Report, dated April 28, 2006, and  
14 placed in member's bill file; Report also printed in House Journal,  
15 April 28, pages 1515-1516.  
16
- 17 Amendment No. 2, by Representative Plant.  
18
- 19 Amend the Appropriations Committee Report, dated April 27, 2006, page  
20 1, line 16, after "AGENCY", insert "ATTEMPT TO FIRST";  
21  
22 strike line 17 and substitute the following:  
23  
24 "DRIVEN OR ESTABLISHING HIGHER EFFICIENCIES, OR BOTH, AND USE THE  
25 SAVINGS".  
26
- 27 Page 2, line 3, strike "EACH" and substitute "IN THE EVENT THE  
28 PROVISIONS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (e) ARE NOT  
29 ACHIEVED, EACH".  
30
- 31 Amendment No. 3, by Representative Weissmann.  
32
- 33 Amend the Appropriations Committee Report, dated April 27, 2006, page  
34 2, line 11, strike "JANUARY 1,"," and substitute "JANUARY 1, ".";  
35  
36 strike lines 12 through 17.  
37
- 38 Amendment No. 4, by Representative Marshall.  
39
- 40 Amend reengrossed bill, page 2, line 19, after "CENT,", insert "AND, WHEN  
41 AUTHORIZED TO BE UTILIZED AND NECESSARY FOR OFFICIAL STATE  
42 BUSINESS,";  
43  
44 line 21, strike "VEHICLES," and substitute "VEHICLES".  
45
- 46 Page 3, line 3, after "CENT,", insert "AND, WHEN AUTHORIZED TO BE  
47 UTILIZED AND NECESSARY FOR OFFICIAL STATE BUSINESS,";  
48  
49 line 5, strike "VEHICLES," and substitute "VEHICLES";  
50  
51 line 13, after "CENT,", insert "AND, WHEN AUTHORIZED TO BE UTILIZED  
52 AND NECESSARY FOR OFFICIAL STATE BUSINESS,";  
53  
54 line 16, strike "VEHICLES," and substitute "VEHICLES".  
55

1 Amendment No. 5, by Representative Plant.

2

3 Amend reengrossed bill, page 3, line 25, strike "THAT ARE WITHIN" and  
4 substitute "FROM".

5

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

8

9

10 A motion by Representative Madden that the Committee rise, report  
11 progress and beg leave to sit again at 6:25 p.m., was adopted by  
12 unanimous consent. (Continued on page 1778.)

13

14

15

16

House reconvened.

17

18 The Committee of the Whole reported it had risen, reported progress and  
19 would sit again at 6:25 p.m.

20

21

22

23

24 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**  
25 **on SB06-224**

26

27 This Report Amends the Rerevised Bill.

28

29 To the President of the Senate and the  
30 Speaker of the House of Representatives:

31

32 Your first conference committee appointed on SB06-224,  
33 concerning event data recorded as a motor vehicle feature, has met and  
34 reports that it has agreed upon the following:

35

36 That the Senate accede to the House amendments made to the bill,  
37 as the amendments appear in the rerevised bill, with the following  
38 change:

39

40 Page 4, before line 1, insert the following:

41

42 "(b) THE DATA IS RETRIEVED BY A MOTOR VEHICLE DEALER OR BY  
43 AN AUTOMOTIVE TECHNICIAN TO DIAGNOSE, SERVICE, OR REPAIR THE  
44 MOTOR VEHICLE AT THE REQUEST OF THE OWNER OR THE OWNER'S  
45 AGENT;".

45

46 Reletter succeeding paragraphs accordingly.

47

48 Respectfully submitted,

49

Senate Committee:

50

Jim Isgar

51

Suzanne Williams

52

K. Traylor

53

54

55

House Committee:

Ted Harvey

Buffie McFadyen

Jack Pommer



**MESSAGE FROM THE SENATE**

1  
2  
3 The Senate voted to recede from its position on HB06-1159, dissolved the  
4 Conference Committee and concurred in House amendments thereto, and  
5 repassed the bill as so amended. The bill is transmitted herewith.  
6  
7 The Senate voted to reject the First Report of the First Conference  
8 Committee on HB06-1090 and dissolved the Conference Committee. The  
9 Senate requests that a Second Conference Committee be appointed. The  
10 President appointed Senators Tupa- Chair, Fitz-Gerald, and Mitchell as  
11 members of the Second Conference Committee on HB06-1090. The  
12 Senate granted permission to the members of the Second Conference  
13 Committee on HB06-1090 to consider matters not at issue between the  
14 two houses.  
15  
16 The Senate voted not to concur in House amendments to SB06-198 and  
17 requests that a Conference Committee be appointed. The President  
18 appointed Senators Johnson- Chair, Hagedorn and Boyd, as members of  
19 the First Conference Committee on the part of the Senate. The bill is  
20 transmitted herewith. The Senate granted permission to the members of  
21 the Second Conference Committee on SB06-198 to consider matters not  
22 at issue between the two houses.  
23  
24 The Senate voted not to concur in House amendments to SB06-138 and  
25 requests that a Conference Committee be appointed. The President  
26 appointed Senators Shaffer-Chair, Grossman and Entz, as members of the  
27 First Conference Committee on the part of the Senate. The bill is  
28 transmitted herewith. The Senate granted permission to the members of  
29 the Second Conference Committee on SB06-138 to consider matters not  
30 at issue between the two houses.  
31  
32 The Senate granted permission to the members of the Second Conference  
33 Committee on HB06-1169 to consider matters not at issue between the  
34 two houses.  
35

---

**MESSAGE FROM THE GOVERNOR**

36  
37  
38  
39 I certify I received the following on the 4th day of May, 2006, at  
40 3:00 p.m. The original is on file in the records of the House of  
41 Representatives of the General Assembly.  
42

43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56

Marilyn Eddins,  
Chief Clerk of the House

May 4, 2006

To the Honorable  
House of Representatives  
Sixty-fifth General Assembly  
Second Regular Session  
Denver, CO 80203

Ladies and Gentlemen:

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

1 **H.06-1019** Concerning The Addition Of A Line To Colorado State  
 2 Individual Income Tax Return Forms Whereby Individual  
 3 Taxpayers May Make A Voluntary Contribution To The  
 4 Colorado Easter Seals Fund, And Making An  
 5 Appropriation Therefor.  
 6

7 Approved May 4, 2006 at 11:55 a.m.  
 8

9 **HB06-1075** Concerning The Sale Of Surplus State Property.  
 10

11 Approved May 4, 2006 at 11:58 a.m.  
 12

13 **HB06-1297** Concerning The Addition Of A Line To Colorado State  
 14 Individual Income Tax Return Forms Whereby Individual  
 15 Taxpayers May Make A Voluntary Contribution To The  
 16 Multiple Sclerosis Fund, And Making An Appropriation  
 17 Therefor.  
 18

19 Approved May 4, 2006 at 12:00 p.m.  
 20

21 **HB06-1325** Concerning Electric Transmission For The State Of  
 22 Colorado, And, In Connection Therewith, Creating An  
 23 Interim Task Force To Study Colorado's Need To Ensure  
 24 A Reliable Electricity Infrastructure, And Making An  
 25 Appropriation.  
 26

27 Approved May 4, 2006 at 12:01 p.m.  
 28

29 **HB06-1338** Concerning The Inclusion Of Contiguous Counties In The  
 30 Regional Transportation District.  
 31

32 Approved May 4, 2006 at 12:03 p.m.  
 33

34 Sincerely,  
 35 (signed)  
 36 Bill Owens

37 \_\_\_\_\_

38 May 4, 2006  
 39

40 The Honorable Colorado House of Representatives  
 41 Sixty-Fifth General Assembly  
 42 Second Regular Session  
 43 State Capitol  
 44 Denver, CO 80203  
 45

46 Ladies and Gentlemen:  
 47

48 I am returning to the House of Representatives House Bill 06-1021,  
 49 "Concerning Physical Education Teachers Employed by School Districts." I  
 50 vetoed this bill as of 11:55 a.m. today and this letter sets forth my reasons for  
 51 doing so.  
 52

53 House Bill 1021 prohibits school districts from employing an individual as a  
 54 physical education teacher unless he or she: 1) holds an endorsement for  
 55 physical education on his or her teacher license; 2) is otherwise deemed highly  
 56 qualified by completing at least 24 credit hours of professional development in

1 physical education; or 3) passes an assessment approved by the State Board of  
2 Education or another national certification test. Supporters of the bill claim  
3 these additional mandates would increase the integrity of physical education  
4 instruction, improve the safety of students, and reduce school liability.  
5 However, they never provided evidence that current physical education teachers  
6 do *not* provide suitable instruction, that student safety is compromised, or that  
7 schools are at increased risk for lawsuits because P.E. teachers don't have a  
8 specific endorsement on their licenses.

9  
10 I believe that current law adequately ensures high-quality physical education in  
11 our schools. Currently, physical education teachers must, at a minimum, hold  
12 a bachelor's degree in the liberal arts and go through the normal rigors of  
13 licensure as a teacher in a public school. In addition, teachers are required to  
14 take at least six credit hours of professional development every five years in  
15 order to renew their licenses. H.B. 1021 would impose 24 credit hours of  
16 physical education instruction for aspiring teachers before they would be  
17 eligible for hire, and would force current P.E. teachers to go back to school in  
18 order to keep their jobs.

19  
20 School districts already have the authority to require more stringent hiring  
21 standards for their physical education instructors. I don't believe it is necessary  
22 or prudent for the State to put up additional hurdles for aspiring P.E. teachers.  
23 I have always been an advocate for qualified, capable teachers in our schools,  
24 and I see no evidence that our current licensure requirements are insufficient,  
25 or that our physical education teachers are providing subpar instruction to our  
26 children.

27  
28 Accordingly, I have vetoed this bill.

29  
30 Sincerely,  
31 (signed)  
32 Bill Owens

---

### INTRODUCTION OF MEMORIAL

37  
38 The following memorial was read by title and laid over one day under the  
39 rules:

40  
41 **SJM06-004** by Senator(s) Gordon; also Representative(s) Romanoff--  
42 Concerning a request that the members of Colorado's  
43 Congressional delegation support the "Combating Autism  
44 Act of 2005".

---

### APPOINTMENTS TO CONFERENCE COMMITTEES

47  
48 The Speaker appointed House conferees to the First Conference  
49 Committees as follows:

50  
51 **SB06-138**--Representatives Gardner, Chairman, Plant and Curry.

52  
53 **SB06-198**--Representatives Romanoff, Chairman, McGihon and Penry.

54  
55  
56

1 House in recess. House reconvened.  
2  
3

4  
5 **REPORT OF COMMITTEE OF REFERENCE**  
6

7 **APPROPRIATIONS**

8 After consideration on the merits, the Committee recommends the  
9 following:

10  
11 **SB06-229** be referred to the Committee of the Whole with favorable  
12 recommendation.  
13

14  
15  
16 On motion of Representative Madden, **SB06-229** was added to the  
17 Special Orders Calendar on Thursday, May 4, 2006.  
18

19  
20 On motion of Representative McGihon, the House resolved itself into  
21 Committee of the Whole for continuation of consideration of Special  
22 Orders, and she returned to the Chair to act as Chairman.  
23

24  
25  
26 **SPECIAL ORDERS--SECOND READING OF BILLS**  
27 (Continued from page 1774)  
28

29 **SB06-170** by Senator(s) Gordon; also Representative(s) Buescher--  
30 Concerning the conduct of elections, and making an  
31 appropriation therefor.  
32

33 Amendment No. 1, by Representative Buescher.  
34

35 Amend reengrossed bill, page 4, line 9, after "COUNTY," insert "OR IN THE  
36 STATE IF THE STATEWIDE VOTER REGISTRATION SYSTEM REQUIRED BY  
37 SECTION 1-2-301 IS OPERATING,";

38  
39 line 25, strike "COUNTY" and substitute "COUNTY, OR IN THE STATE IF THE  
40 STATEWIDE VOTER REGISTRATION SYSTEM REQUIRED BY SECTION 1-2-301  
41 IS OPERATING,".  
42

43 Page 11, line 11, strike "SUBSECTION" and substitute "SECTION".  
44

45 As amended, ordered revised and placed on the Calendar for Third  
46 Reading and Final Passage.  
47

48 **SB06-141** by Senator(s) Tochtrop, Bacon, Hanna, Groff; also  
49 Representative(s) Riesberg, Solano, Todd--Concerning the  
50 creation of the "Health Care Transparency Act", and  
51 making an appropriation therefor.  
52

53 Amendment No. 1, Finance Report, dated April 26, 2006, and placed in  
54 member's bill file; Report also printed in House Journal, April 27,  
55 pages 1490.  
56

- 1 Amendment No. 2, Appropriations Report, dated May 1, 2006, and placed  
2 in member's bill file; Report also printed in House Journal, May 1, page  
3 1574.  
4
- 5 As amended, declared **lost** on Second Reading.  
6
- 7 **SB06-227** by Senator(s) Tochtrop; also Representative(s) Solano,  
8 Frangas, Madden, Marshall, Pommer--Concerning  
9 reporting requirements regarding the payment of health  
10 care costs, and making an appropriation therefor.  
11
- 12 Amendment No. 1, Health and Human Services Report, dated May 1,  
13 2006, and placed in member's bill file; Report also printed in House  
14 Journal, May 2, page 1677.  
15
- 16 Amendment No. 2, by Representative Solano.  
17
- 18 Amend reengrossed bill, page 5, line 23, strike "STATEMENT." and  
19 substitute "STATEMENT SUBSTANTIALLY TRUE."  
20
- 21 line 26, strike "EXEMPT" and substitute "EXCLUDE".  
22
- 23 As amended, ordered revised and placed on the Calendar for Third  
24 Reading and Final Passage.  
25
- 26 **SB06-222** by Senator(s) Grossman; also Representative(s) Hefley--  
27 Concerning changes to threshold loss amounts in certain  
28 crimes.  
29
- 30 Laid over until May 11, 2006. Bill deemed lost.  
31
- 32 **SB06-150** by Senator(s) Grossman; also Representative(s) Hefley--  
33 Concerning DNA testing of all felons.  
34
- 35 Amendment No. 1, Judiciary Report, dated April 27, 2006, and placed in  
36 member's bill file; Report also printed in House Journal, April 28, page  
37 1530.  
38
- 39 Amendment No. 2, by Representative Hefley.  
40
- 41 Amend reengrossed bill, page 3, line 18, strike "CUSTODY;" and substitute  
42 "THE CUSTODY OF THE COUNTY JAIL OR THE COMMUNITY CORRECTIONS  
43 FACILITY;".  
44
- 45 Page 4, line 5, strike "CUSTODY;" and substitute "THE CUSTODY OF THE  
46 COUNTY JAIL OR THE COMMUNITY CORRECTIONS FACILITY;".  
47
- 48 Amendment No. 3, by Representative Hefley.  
49
- 50 Amend reengrossed bill, page 2, strike lines 14 through 26.  
51
- 52 Page 3, strike lines 1 through 5.  
53
- 54 Reletter succeeding paragraphs accordingly.  
55
- 56 Page 8, strike lines 22 through 27.

1 Page 9, strike lines 1 through 11.

2

3 Reletter succeeding paragraphs accordingly.

4

5 Amendment No. 4, by Representative Hefley.

6

7 Amend reengrossed bill, page 12, strike lines 24 through 27.

8

9 Page 13, strike lines 1 through 9.

10

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

13

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

18

19 Ordered revised and placed on the Calendar for Third Reading and Final  
20 Passage.

21

22 **SB06-114** by Senator(s) Kester, Brophy, Taylor, Tochtrop; also  
23 Representative(s) Gardner--Concerning the expansion of  
24 anaerobic controls to allow additional technologies to be  
25 used in the operation of housed commercial swine feeding  
26 operations.

27

28 (Previously amended as printed in House Journal May 3, pages  
29 1729-1730.)

30

31 Amendment No. 2, Appropriations Report, dated May 4, 2006, and placed  
32 in member's bill file; Report also printed in House Journal, May 4,  
33 pages 1762-1763.

34

35 Amendment No. 3, by Representative Gardner.

36

37 Amend reengrossed bill, page 2, line 18, after "OPERATION.", insert "THE  
38 HOUSED COMMERCIAL SWINE FEEDING OPERATION SHALL MANAGE ODOR  
39 EMISSIONS SUCH THAT ODOR EMISSIONS FROM THE OPERATION SHALL NOT  
40 BE DETECTED AT OR BEYOND THE PROPERTY BOUNDARY AFTER THE  
41 ODOROUS AIR HAS BEEN DILUTED WITH SEVEN VOLUMES OF ODOR-FREE  
42 AIR. THE HOUSED COMMERCIAL SWINE FEEDING OPERATION SHALL  
43 MANAGE ODOR EMISSIONS SUCH THAT ODOR EMISSIONS FROM THE  
44 OPERATION SHALL NOT BE DETECTED AT ANY OFF-SITE RECEPTOR AFTER  
45 THE ODOROUS AIR HAS BEEN DILUTED WITH TWO VOLUMES OF ODOR-FREE  
46 AIR. FOR PURPOSES OF THIS SECTION, "RECEPTOR" MEANS ANY OCCUPIED  
47 DWELLING USED AS A PRIMARY DWELLING OR ITS CURTILAGE, A PUBLIC OR  
48 PRIVATE SCHOOL, OR A PLACE OF BUSINESS."

49

50 Page 3, line 10, after "OPERATION.", insert "THE HOUSED COMMERCIAL  
51 SWINE FEEDING OPERATION SHALL MANAGE ODOR EMISSIONS SUCH THAT  
52 ODOR EMISSIONS FROM THE OPERATION SHALL NOT BE DETECTED AT OR  
53 BEYOND THE PROPERTY BOUNDARY AFTER THE ODOROUS AIR HAS BEEN  
54 DILUTED WITH SEVEN VOLUMES OF ODOR-FREE AIR. THE HOUSED  
55 COMMERCIAL SWINE FEEDING OPERATION SHALL MANAGE ODOR EMISSIONS  
56 SUCH THAT ODOR EMISSIONS FROM THE OPERATION SHALL NOT BE

1 DETECTED AT ANY OFF-SITE RECEPTOR AFTER THE ODOROUS AIR HAS BEEN  
 2 DILUTED WITH TWO VOLUMES OF ODOR-FREE AIR. FOR PURPOSES OF THIS  
 3 SECTION, "RECEPTOR" MEANS ANY OCCUPIED DWELLING USED AS A  
 4 PRIMARY DWELLING OR ITS CURTILAGE, A PUBLIC OR PRIVATE SCHOOL, OR  
 5 A PLACE OF BUSINESS."

6

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

9

10 **SB06-229** by Senator(s) Fitz-Gerald, Isgar, Taylor; also  
 11 Representative(s) Plant--Concerning the use of moneys  
 12 from the operational account of the severance tax trust  
 13 fund to pay for the state's share of a facility related to a  
 14 national deep underground science and engineering  
 15 laboratory to be located in the state.

16

17 Amendment No. 1, Finance Report, dated May 3, 2006, and placed in  
 18 member's bill file; Report also printed in House Journal, May 3,  
 19 pages 1739-1740.

20

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

23

24

## 25 AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT

26

27 Representatives Cadman, Balmer, Berens, Clapp, Cloer, Crane, Decker,  
 28 Gardner, Harvey, Hefley, J. Kerr, King, Knoedler, Larson, Liston,  
 29 Lundberg, May, Penry, Rose, Schultheis, Stengel, Sullivan, Welker,  
 30 Witwer and Hall moved to amend the Report of the Committee of the  
 31 Whole to show that the following Cadman amendment, to SB06-170, did  
 32 pass, and that **SB06-170**, as amended, did pass.

33

34 Amend reengrossed bill, page 11, strike lines 10 through 20.

35

36 Renumber succeeding sections accordingly.

37

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

39

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

1 Representatives Cadman, Balmer, Berens, Clapp, Cloer, Crane, Decker,  
2 Gardner, Harvey, Hefley, J. Kerr, King, Knoedler, Larson, Liston,  
3 Lundberg, May, Penry, Rose, Schultheis, Stengel, Sullivan, Welker,  
4 Witwer, and Hall moved to amend the Report of the Committee of the  
5 Whole to show that the following Cadman amendment, to SB06-170, did  
6 pass, and that **SB06-170**, as amended, did pass.

7  
8 Amend reengrossed bill, page 2, after line 1, insert the following:  
9

10 **"SECTION 1.** 1-2-201 (2), Colorado Revised Statutes, is  
11 amended to read:  
12

13 **1-2-201. Registration required - deadline.** (2) Each elector  
14 registering shall sign his or her name on the registration record or, if  
15 unable to write, shall make a personal mark or be provided assistance to  
16 make such a mark by the county clerk and recorder or any other person  
17 authorized by the county clerk and recorder or the elector. The elector  
18 shall answer the questions required by section 1-2-204, ~~and shall~~  
19 complete the self-affirmation required by section 1-2-205, AND PROVIDE  
20 PROOF OF CITIZENSHIP PURSUANT TO SECTION 1-2-205.5.".

21  
22 Renumber succeeding sections accordingly.  
23

24 Page 3, after line 23, insert the following:

25 **"SECTION 4.** Part 2 of article 2 of title 1, Colorado Revised  
26 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
27 read:  
28

29 **1-2-205.5. Proof of citizenship.** (1) THE COUNTY CLERK AND  
30 RECORDER OR DEPUTY REGISTRAR SHALL NOT REGISTER AN ELIGIBLE  
31 ELECTOR MAKING APPLICATION FOR REGISTRATION UNLESS THE ELECTOR  
32 SUBMITS PROOF OF CITIZENSHIP TO THE COUNTY CLERK AND RECORDER OR  
33 DEPUTY REGISTRAR.  
34

35 (2) PROOF OF CITIZENSHIP MAY BE ESTABLISHED BY ANY OF THE  
36 FOLLOWING:  
37

38 (a) A VALID UNITED STATES PASSPORT OR A LEGIBLE PHOTOCOPY  
39 OF THE PERTINENT PAGES THEREOF, IDENTIFYING THE ELECTOR AND  
40 SHOWING THE PASSPORT NUMBER;  
41

42 (b) THE ELECTOR'S BIRTH CERTIFICATE OR A LEGIBLE PHOTOCOPY  
43 THEREOF;  
44

45 (c) THE ELECTOR'S UNITED STATES NATURALIZATION  
46 DOCUMENTATION OR A LEGIBLE PHOTOCOPY THEREOF, OR THE NUMBER OF  
47 THE APPLICANT'S CERTIFICATE OF NATURALIZATION; EXCEPT THAT AN  
48 ELECTOR WHO PROVIDES THE NUMBER OF THE CERTIFICATE OF  
49 NATURALIZATION IN LIEU OF THE NATURALIZATION DOCUMENTATION  
50 SHALL NOT BE REGISTERED UNTIL THE COUNTY CLERK AND RECORDER  
51 VERIFIES THE NUMBER WITH UNITED STATES CITIZENSHIP AND  
52 IMMIGRATION SERVICES; OR  
53

54 (d) ANY DOCUMENT OR METHOD OF PROOF OF CITIZENSHIP  
55 ESTABLISHED BY THE FEDERAL "IMMIGRATION REFORM AND CONTROL  
56 ACT OF 1986", P.L. 99-603, AS AMENDED.



1 (3) PROOF OF VOTER REGISTRATION FROM ANOTHER STATE SHALL  
2 NOT BE CONSIDERED PROOF OF CITIZENSHIP FOR PURPOSES OF THIS  
3 SECTION.

4  
5 (4) A PERSON WHO IS A REGISTERED ELECTOR AS OF JULY 1, 2006,  
6 IS DEEMED TO HAVE PROVIDED PROOF OF CITIZENSHIP AND IS NOT  
7 REQUIRED TO SUBMIT PROOF OF CITIZENSHIP PURSUANT TO THIS SECTION.

8  
9 (5) A REGISTERED ELECTOR IS NOT REQUIRED TO SUBMIT PROOF OF  
10 CITIZENSHIP WHEN THE ELECTOR:

11  
12 (a) MOVES WITHIN A COUNTY AND CHANGES HIS OR HER ADDRESS  
13 ON THE REGISTRATION RECORD PURSUANT TO SECTION 1-2-216;

14  
15 (b) CHANGES HIS OR HER NAME ON THE REGISTRATION RECORD  
16 PURSUANT TO SECTION 1-2-218;

17  
18 (c) DECLARES AN AFFILIATION WITH A POLITICAL PARTY OR  
19 POLITICAL ORGANIZATION PURSUANT TO SECTION 1-2-218.5; OR

20  
21 (d) CHANGES OR WITHDRAWS AN AFFILIATION WITH A POLITICAL  
22 PARTY OR POLITICAL ORGANIZATION PURSUANT TO SECTION 1-2-219.

23  
24 (6) THE COUNTY CLERK AND RECORDER SHALL NOT REGISTER A  
25 PERSON WHO APPLIES TO REGISTER BY COMPLETING A PROVISIONAL  
26 BALLOT AFFIDAVIT PURSUANT TO SECTION 1-8.5-103 (2) (a), 1-8.5-107 (1)  
27 OR (2) (c), OR 1-8.5-108 UNTIL THE PERSON PROVIDES PROOF OF  
28 CITIZENSHIP PURSUANT TO THIS SECTION.

29  
30 (7) THE REQUIREMENTS OF THIS SECTION SHALL NOT APPLY TO AN  
31 ABSENT UNIFORMED SERVICES ELECTOR, A NONRESIDENT OVERSEAS  
32 ELECTOR, OR A RESIDENT OVERSEAS ELECTOR WHO APPLIES TO REGISTER  
33 BY FEDERAL POSTCARD APPLICATION IN ACCORDANCE WITH SECTIONS  
34 1-2-208 AND 1-2-209 OR TO AN ELECTOR WHO REGISTERS USING THE MAIL  
35 VOTER REGISTRATION APPLICATION FORM PRESCRIBED BY THE UNITED  
36 STATES ELECTION ASSISTANCE COMMISSION.

37  
38 **SECTION 5.** 1-2-213 (2) (a), Colorado Revised Statutes, is  
39 amended to read:

40  
41 **1-2-213. Registration at driver's license examination facilities.**

42 (2) (a) An applicant who wishes to complete an application for  
43 registration shall read and answer the questions required by section  
44 1-2-204, ~~and shall~~ PROVIDE PROOF OF CITIZENSHIP PURSUANT TO SECTION  
45 1-2-205.5, AND make a self-affirmation by signing the following  
46 statement: "I, ....., do solemnly affirm that I am a citizen of the  
47 United States and that on the date of the next election I shall have attained  
48 the age of eighteen years and shall have resided in the state of Colorado  
49 at least thirty days and in my precinct at least thirty days before the  
50 election. I further affirm that the present address I listed herein is my sole  
51 legal place of residence and that I claim no other place as my legal  
52 residence." Each application for registration shall bear the following  
53 statement: "Warning: It is a class 1 misdemeanor to affirm falsely as to  
54 your qualifications to register to vote."  
55

1           **SECTION 6.** 1-2-217.5 (1) (b), Colorado Revised Statutes, is  
2 amended to read:

3  
4           **1-2-217.5. Change in residence before close of registration -  
5 emergency registration at office of county clerk and recorder.**

6 (1) Notwithstanding the provisions of sections 1-2-101 and 1-2-102, an  
7 elector may register to vote in an election after the registration books of  
8 the county clerk and recorder are closed for that election by completing  
9 an emergency registration affidavit as prescribed by the secretary of state  
10 if the elector:

11  
12           (b) Presents identification within the meaning of section 1-1-104  
13 (19.5) AND PROOF OF CITIZENSHIP PURSUANT TO SECTION 1-2-205.5.".

14  
15 Renumber succeeding sections accordingly.

16  
17 Page 12, after line 7, insert the following:

18           **"SECTION 21.** 1-8.5-103 (2) (a), Colorado Revised Statutes, is  
19 amended to read:

20  
21           **1-8.5-103. Provisional ballot affidavit.** (2) (a) The provisional  
22 ballot affidavit shall constitute a voter registration application for the  
23 voter for future elections. WHEN THE COUNTY CLERK AND RECORDER  
24 REGISTERS THE ELECTOR IN THE REGISTRATION RECORD, any previous  
25 voter registration for the voter shall be cancelled pursuant to section  
26 1-2-603 (1).".

27  
28 Renumber succeeding sections accordingly.

29  
30 The amendment was declared **lost** by the following roll call vote:

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

50  
51 Representatives Cadman, Balmer, Berens, Clapp, Cloer, Crane, Decker,  
52 Gardner, Harvey, Hefley, J. Kerr, King, Knoedler, Larson, Liston,  
53 Lundberg, May, Penry, Rose, Schultheis, Stengel, Sullivan, Welker, and  
54 Witwer moved to amend the Report of the Committee of the Whole to  
55 show that the following Cadman amendment, to SB06-170, did pass, and  
56 that **SB06-170**, as amended, did pass.

1 Amend reengrossed bill, page 2, after line 1, insert the following:

2

3 **"SECTION 1.** 1-1-104, Colorado Revised Statutes, is amended  
4 BY THE ADDITION OF A NEW SUBSECTION to read:

5

6 **1-1-104. Definitions - repeal.** As used in this code, unless the  
7 context otherwise requires:

8

9 (32.5) "PROOF OF CITIZENSHIP" MEANS:

10

11 (a) A VALID UNITED STATES PASSPORT OR A LEGIBLE PHOTOCOPY  
12 OF THE PERTINENT PAGES THEREOF, IDENTIFYING THE PERSON AND  
13 SHOWING THE PASSPORT NUMBER;

14

15 (b) THE PERSON'S BIRTH CERTIFICATE THAT VERIFIES UNITED  
16 STATES CITIZENSHIP OR A LEGIBLE PHOTOCOPY THEREOF;

17

18 (c) THE PERSON'S UNITED STATES NATURALIZATION  
19 DOCUMENTATION OR A LEGIBLE PHOTOCOPY THEREOF; OR

20

21 (d) ANY DOCUMENT OR METHOD OF PROOF OF CITIZENSHIP  
22 ESTABLISHED BY THE FEDERAL "IMMIGRATION REFORM AND CONTROL  
23 ACT OF 1986", P.L. 99-603, AS AMENDED."

24

25 Renumber succeeding sections accordingly.

26

27 Page 6, after line 17, insert the following:

28

29 **"SECTION 8.** 1-2-701 (1), Colorado Revised Statutes, is  
30 amended to read:

31

32 **1-2-701. Registration of voter registration drive - training.**

33 (1) Before commencing a voter registration drive, a voter registration  
34 drive organizer shall file a statement of intent to conduct a voter  
35 registration drive AND, IF THE VOTER REGISTRATION DRIVE ORGANIZER IS  
36 AN INDIVIDUAL, PROOF OF CITIZENSHIP AS DEFINED IN SECTION 1-1-104  
37 (32.5) with the secretary of state in the manner prescribed by the secretary  
38 of state by rules promulgated in accordance with article 4 of title 24,  
39 C.R.S. The voter registration drive organizer shall designate on the  
40 statement the agent of the voter registration drive, who shall be a resident  
41 of the state."

42

43 Renumber succeeding sections accordingly.

44

45 Page 6, line 18, strike "amended" and substitute "amended, and the said  
46 1-2-702 is further amended BY THE ADDITION OF A NEW  
47 SUBSECTION,";

48

49 line 20, strike "(2) A" and substitute the following:

50

51 "(1.5) A CIRCULATOR WORKING ON A VOTER REGISTRATION DRIVE  
52 SHALL SUBMIT PROOF OF CITIZENSHIP, AS DEFINED IN SECTION 1-1-104  
53 (32.5), TO THE VOTER REGISTRATION DRIVE ORGANIZER BEFORE  
54 COLLECTING ANY VOTER REGISTRATION DRIVE APPLICATIONS FROM  
55 ELECTORS. WITHIN FIVE DAYS AFTER RECEIVING PROOF OF CITIZENSHIP  
56 FROM A CIRCULATOR, THE VOTER REGISTRATION DRIVE ORGANIZER SHALL

1 FILE A COPY OF THE PROOF OF CITIZENSHIP WITH THE SECRETARY OF  
 2 STATE.

3

4 (2) A".

5

6 Page 10, after line 4, insert the following:

7

8 "SECTION 14. 1-6-101, Colorado Revised Statutes, is amended  
 9 BY THE ADDITION OF A NEW SUBSECTION to read:

10

11 **1-6-101. Definitions - qualifications for election judges -**  
 12 **student election judges - legislative declaration.** (4.5) BEFORE SERVING  
 13 AS AN ELECTION JUDGE, A PERSON SHALL SUBMIT PROOF OF CITIZENSHIP,  
 14 AS DEFINED IN SECTION 1-1-104 (32.5), TO THE COUNTY CLERK AND  
 15 RECORDER OR OTHER DESIGNATED ELECTION OFFICIAL."

16

17 Renumber succeeding sections accordingly.

18

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

20

21

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

39

40 Representatives Cadman, Balmer, Berens, Clapp, Cloer, Crane, Decker,  
 41 Gardner, Harvey, Hefley, J. Kerr, King, Knoedler, Larson, Liston,  
 42 Lundberg, May, Penry, Rose, Schultheis, Stengel, Sullivan, Welker,  
 43 Witwer, and Hall moved to amend the Report of the Committee of the  
 44 Whole to show that the following Cadman amendment, to SB06-170, did  
 45 pass, and that **SB06-170**, as amended, did pass.

46

47 Amend reengrossed bill, page 6, line 23, after the period, insert "WITH  
 48 EACH APPLICATION OR BATCH OF APPLICATIONS SUBMITTED TO THE VOTER  
 49 REGISTRATION DRIVE ORGANIZER, THE CIRCULATOR SHALL SUBMIT A  
 50 SIGNED AFFIDAVIT AFFIRMING THAT THE CIRCULATOR ASKED EACH PERSON  
 51 COMPLETING AN APPLICATION WHETHER THE PERSON IS A CITIZEN OF THE  
 52 UNITED STATES AND THAT THE CIRCULATOR IS NOT KNOWINGLY  
 53 DELIVERING AN APPLICATION FROM A PERSON WHO IS NOT A CITIZEN OF  
 54 THE UNITED STATES.";

55

1 line 26, after the period, insert "WITH EACH APPLICATION OR BATCH OF  
 2 APPLICATIONS DELIVERED TO A COUNTY CLERK AND RECORDER, THE  
 3 VOTER REGISTRATION DRIVE ORGANIZER SHALL DELIVER A COPY OF THE  
 4 CIRCULATOR'S AFFIDAVIT AFFIRMING THAT THE CIRCULATOR ASKED EACH  
 5 PERSON COMPLETING AN APPLICATION WHETHER THE PERSON IS A CITIZEN  
 6 OF THE UNITED STATES AND THAT THE CIRCULATOR IS NOT KNOWINGLY  
 7 DELIVERING AN APPLICATION FROM A PERSON WHO IS NOT A CITIZEN OF  
 8 THE UNITED STATES."  
 9

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

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

### ADOPTION OF COMMITTEE OF THE WHOLE REPORT

35 Passed Second Reading: **SB06-004, 011, 044 amended, 111 amended,**  
 36 **193, 207, 221, 234 amended, 228, 237, 236, 072 amended,**  
 37 **179 amended, 233 amended, 122, 136, 096 amended, 235 amended,**  
 38 **239 amended, 230 amended, 219 amended, 046 amended, 031, 183,**  
 39 **173 amended, 170 amended, 227 amended, 150 amended, 225,**  
 40 **114 amended, 229 amended.**

42 Lost on Second Reading: **SB06-141 amended.**

44 Laid over until date indicated retaining place on Calendar:  
 45 **SB06-222--May 11, 2006.**

47 The Chairman moved the adoption of the Committee of the Whole  
 48 Report. As shown by the following roll call vote, a majority of those  
 49 elected to the House voted in the affirmative, and the Report was  
 50 **adopted.**

	YES	65	NO	00	EXCUSED	00	ABSENT	00
53	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
54	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
55	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
56	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y

1	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
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	Y
6	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
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	Y
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

---

### MESSAGE FROM THE SENATE

19 The Senate has voted not to concur in House Amendments to SB06-131,  
20 and requests that a Conference Committee be appointed. The President  
21 appointed Senators Tochtrop, Chair, Sandoval, and Traylor, as members  
22 of the First Conference Committee on the part of the Senate. The bill is  
23 transmitted herewith.

25 In response to a request from the House for a Conference Committee on  
26 HB06-1337, the President appointed Senators Tapia, Chair, Williams, and  
27 Entz as members of the First Conference Committee on HB06-1337.

29 In response to a request from the House for a Conference Committee on  
30 HB06-1257, the President appointed Senators Keller, Chair, Takis, and  
31 Johnson as members of the First Conference Committee on HB06-1257.

33 In response to a request from the House for a Conference Committee on  
34 HB06-1006, the President appointed Senators Tapia, Chair, Williams, and  
35 Entz as members of the First Conference Committee on HB06-1006.

37 The Senate has adopted the First Report of the Second Conference  
38 Committee on HB06-1090, as printed in Senate Journal, May 4, 2006, and  
39 repassed the bill as amended. The bill is returned herewith.

---

### FIRST REPORT OF SECOND CONFERENCE COMMITTEE on HB06-1090

This Report Amends the Rerevised Bill.

47 To the President of the Senate and the  
48 Speaker of the House of Representatives:

50 Your second conference committee appointed on HB06-1090,  
51 concerning unlawful sexual behavior, has met and reports that it has  
52 agreed upon the following:

54 1. That the House accede to the Senate amendments made to the  
55 bill, as the amendments appear in the rerevised bill, with the following  
56 changes:

1 Amend rerevised bill, page 4, strike lines 24 through 27.  
 2  
 3 Strike pages 5 and 6.  
 4  
 5 Page 7, strike lines 1 through 21.  
 6  
 7 Renumber succeeding sections accordingly.  
 8  
 9 Page 12, strike lines 13 through 27.  
 10  
 11 Page 13, strike lines 1 through 16.  
 12  
 13 Page 15, line 16, strike "DATE." and substitute "DATE THAT ARE BASED ON  
 14 SEXUAL OFFENSES AGAINST CHILDREN FOR WHICH THE APPLICABLE  
 15 STATUTE OF LIMITATIONS FOR CIVIL SUIT IN EFFECT PRIOR TO JULY 1, 2006,  
 16 HAS NOT YET RUN AS OF JULY 1, 2006."

17  
 18 Page 25, line 3, strike "SERVICE" and substitute "ACCESS".  
 19  
 20 Page 26, strike lines 14 through 17 and substitute the following:  
 21  
 22 "Senate Bill 06-022 is enacted and becomes law and except that section  
 23 8 of this act shall not take effect if House Bill 06-1011 is enacted at the  
 24 Second Regular Session of the Sixty-fifth General Assembly and becomes  
 25 law."  
 26

27         2. That, under the authority granted the committee to consider  
 28 matters not at issue between the two houses, the following amendment be  
 29 recommended:  
 30

31 Amend rerevised bill, page 15, line 26, after the period, add "UPON  
 32 REQUEST OF THE PLAINTIFF, THE COURT SHALL REDACT FROM THE  
 33 INFORMATION THAT IS NOT SEALED ANY INFORMATION THAT IDENTIFIES  
 34 THE VICTIM."  
 35

36 Respectfully submitted,  
 37         House Committee:                                 Senate Committee:  
 38             Anne McGihon                                 Ron Tupa  
 39             Gwyn Green                                     Joan Fitz-Gerald  
 40

41  
 42  
 43 On motion of Representative Madden, the rules were suspended for  
 44 immediate consideration of the Second Conference Committee report on  
 45 HB06-1090.  
 46

47  
 48         **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**  
 49

50 **HB06-1090** by Representative(s) Green; also Senator(s) Tupa--  
 51 Concerning unlawful sexual behavior.  
 52

53 (Second Conference Committee Report printed in House Journal, May 4,  
 54 2006, pages 1788-1789.  
 55

1 Representative Green moved that the Conference Committee Report be  
 2 adopted. A substitute motion by Representative Hefley, that the House  
 3 adhere to its position was declared **passed** by the following roll call vote:  
 4

	YES	63	NO	02	EXCUSED	00	ABSENT	00
6	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
7	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
8	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
9	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
10	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
11	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
12	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
13	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
14	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
15	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
16	Clapp	Y	Jahn	Y	McGihon	N	Todd	Y
17	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
18	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	N
19	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
20	Curry	Y	King	Y	Penry	Y	White	Y
21	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
22							Speaker	Y

---

### 26 APPOINTMENTS TO CONFERENCE COMMITTEE

27  
 28 The Speaker appointed House conferees to the First Conference  
 29 Committee as follows:

30  
 31 **SB131**--Representatives McFadyen, Chairman, White and Riesberg.  
 32  
 33

---

### 35 LAY OVER OF CALENDAR ITEMS

36  
 37 On motion of Representative Madden, the following items on the  
 38 Calendar were laid over until May 5, retaining place on Calendar:  
 39

40 Consideration of Third Reading--**SCR06-001, HCR06-1012.**

41 Consideration of General Orders--**HCR06-1002, SCR06-002,**  
 42 **HCR06-1014.**

43 Consideration of Conference Committee Report--**SB06-051.**

44 Consideration of Resolutions--**HJR06-1022, 1031, 1036, SJR06-015,**  
 45 **019, 020, 032, 035, 038, 039, 041, 044, 050.**

46 Consideration of Memorial--**SJM06-003.**

47 Consideration of Senate Amendments--**HB06-1277, 1293, 1024, 1054,**  
 48 **1278, 1306, 1323, 1330, 1346, 1347, 1360, 1001, 1004, 1017, 1045,**  
 49 **1057, 1145, 1149, 1151, 1171, 1211, 1270, 1304, 1310, 1312, 1326,**  
 50 **1331, 1362, 1363, 1380, 1387.**

51 Consideration of Adherence--**SB06-067.**

52 Consideration of Governor's Vetoes--**HB06-1216, 1005, 1023, 1369,**  
 53 **1371, 1374, 1010, 1056, 1077, 1148, 1174, 1212, 1095, 1309, 1385.**  
 54  
 55  
 56



1 On motion of Representative Madden, the House adjourned until  
2 9:00 a.m., May 5, 2006.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:  
ANDREW ROMANOFF,  
Speaker