

SENATE JOURNAL
Sixty-fifth General Assembly
STATE OF COLORADO
Second Regular Session

114th Legislative Day

Thursday, May 4, 2006

- Prayer By the chaplain, Rev. Paul Kottke, University Park United Methodist Church, Denver.
- Pledge By Senator Boyd.
- Call to Order By the President at 9:00 a.m.
- Roll Call Present--32.
Absent--2; Tochtrop, Williams.
Excused--1; Johnson.
Present later--Johnson, Tochtrop, Williams.
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Isgar, reading of the Journal of May 3, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

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

**THIS REPORT AMENDS THE
REREVISED BILL**

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

Your first conference committee appointed on 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:

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

strike lines 9 and 10 and substitute the following:
"HIGHWAY USERS TAX FUND FOR ALLOCATION AND EXPENDITURE AS
SPECIFIED IN SECTION 43-4-205 (5.5) (b), C.R.S.".

Respectfully submitted,

Senate Committee:
(signed)
Senator Tochtrop, Chair
Senator Williams
Senator Spence

House Committee:
(signed)
Representative Soper, Chair
Representative Gallegos
Representative Hefley

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APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Tapia, Chairman, Keller, and Owen as Senate Conferees on the First Conference Committee on HB06-1386.

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the Committee recommends that HB06-1302 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, line 1, strike "42-4-304" and substitute "42-3-304".

Page 9, strike lines 4 and 5 and substitute the following:

"SECTION 10. 42-3-304 (19) (a) (II), Colorado Revised Statutes, is amended, and the said 42-3-304 (19) (a) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:";

after line 11, insert the following:

"(II) County clerks and recorders shall be entitled to retain three and one-third percent of the fee so collected to cover the clerks' expenses in the collection and remittance of such fee. County treasurers shall, no later than ten days after the last business day of each month, remit the remainder of such fee to the clean screen authority created in section 42-4-307.5. The clean screen authority shall transmit such fee to the state treasurer, who shall deposit the same in the clean screen fund, which fund is hereby created. The clean screen fund shall be a pass-through trust account to be held in trust solely for the purposes and the beneficiaries specified in this subsection (19). Moneys in the clean screen fund shall not constitute fiscal year spending of the state for purposes of section 20 of article X of the state constitution, and such moneys shall be deemed custodial funds that are not subject to appropriation by the general assembly. Interest earned from the deposit and investment of moneys in the clean screen fund shall be credited to the clean screen fund, and the clean screen authority may also expend interest earned on the deposit and investment of the clean screen fund to pay for its costs associated with the implementation of House Bill 01-1402, enacted at the first regular session of the sixty-third general assembly. THE CLEAN SCREEN AUTHORITY MAY ALSO EXPEND INTEREST EARNED ON THE DEPOSIT AND INVESTMENT OF THE CLEAN SCREEN FUND TO PAY FOR ITS COSTS ASSOCIATED WITH THE IMPLEMENTATION OF HOUSE BILL 06-1302, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY."

Page 10, strike line 1 and substitute "sum of two hundred fifty thousand dollars (\$250,000) and 1.5 FTE,";

line 11, strike "0.5 FTE,".

Appropriations

After consideration on the merits, the Committee recommends that HB06-1336 be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that HB06-1399 be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that HB06-1343 be referred to the Committee of the Whole with favorable recommendation.

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Appropriations

After consideration on the merits, the Committee recommends that **HB06-1384** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1396** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the State, Veterans & Military Affairs Committee Report, dated May 1, 2006, page 1, strike lines 1 through 7 and substitute the following:

"Amend reengrossed bill, page 3, line 14, strike "**grants**" and substitute "**funding - grants.**";

line 19, after the period, add "THE GRANT PROGRAM SHALL BE FUNDED BY MONEYS ANNUALLY APPROPRIATED BY THE GENERAL ASSEMBLY SPECIFICALLY FOR SAID PROGRAM.".

Page 5, strike lines 4 through 27.";

strike lines 11 through 16 of the committee report.

Page 2, strike lines 1 through 3 and substitute the following:

"SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public health and environment, prevention services division, for the school-based health center grant program created in section 25-20.5-503, Colorado Revised Statutes, for the fiscal year beginning July 1, 2006, the sum of five hundred thousand dollars (\$500,000) and 0.7 FTE, or so much thereof as may be necessary, for the implementation of this act.".

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1322** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the State, Veterans & Military Affairs Committee Report, dated May 1, 2006, page 1, strike lines 5 through 15 and substitute the following:

"39-29-109. Severance tax trust fund - created - administration - use of moneys - definitions - repeal. (8) (a) SUBJECT TO THE END BALANCE REQUIREMENT OF PARAGRAPH (f) OF SUBSECTION (1.5) OF THIS SECTION AND THE MAINTENANCE OF A TWO-YEAR RESERVE PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (III) OF PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION, FOR THREE STATE FISCAL YEARS BEGINNING WITH THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2006, A PORTION OF THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND SHALL BE APPROPRIATED TO THE COLORADO RENEWABLE ENERGY AUTHORITY CREATED IN SECTION 24-47.5-101, C.R.S., FOR THE PURPOSES STATED IN SECTION 24-47.5-102 (2), C.R.S. THE AMOUNT APPROPRIATED SHALL BE TWO MILLION DOLLARS PER YEAR, SUBJECT TO THE LIMITATIONS STATED IN SECTION 24-47.5-102, C.R.S., AND IN THIS PARAGRAPH (a). IF THERE ARE INSUFFICIENT MONEYS IN THE OPERATIONAL ACCOUNT TO MAKE ALL APPROPRIATIONS AND TRANSFERS AT THE HIGHEST LEVEL AUTHORIZED BY LAW, THE APPROPRIATIONS AUTHORIZED BY THIS SUBSECTION (8) AND SUBPARAGRAPH (IV) OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION SHALL BE REDUCED PRO RATA AS NECESSARY TO ACCOMMODATE ALL APPROPRIATIONS AND TRANSFERS AT THE HIGHEST LEVEL AUTHORIZED BY LAW OTHER THAN THIS SUBSECTION (8) AND SUBPARAGRAPH (IV) OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION.

(b) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE JULY 1, 2009.".

Page 2, strike line 1 and substitute the following:

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"24-47.5-101. Renewable energy authority - creation - legislative declaration. (1) (a) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT:

(I) THE PRODUCTION AND EFFICIENT USE OF ENERGY WILL CONTINUE TO PLAY A CENTRAL ROLE IN THE FUTURE OF THIS STATE AND THE NATION AS A WHOLE; AND

(II) THE DEVELOPMENT, PRODUCTION, AND EFFICIENT USE OF RENEWABLE ENERGY WILL ADVANCE THE SECURITY, ECONOMIC WELL-BEING, AND PUBLIC AND ENVIRONMENTAL HEALTH OF THIS STATE, AS WELL AS CONTRIBUTING TO THE ENERGY INDEPENDENCE OF OUR NATION.

(b) THE GENERAL ASSEMBLY FURTHER FINDS, DETERMINES, AND DECLARES THAT THE AUTHORITY AND POWERS CONFERRED UNDER THIS ARTICLE, AS WELL AS THE EXPENDITURES OF PUBLIC MONEY MADE PURSUANT TO THIS ARTICLE, WILL SERVE A VALID PUBLIC PURPOSE AND THAT THE ENACTMENT OF THIS ARTICLE IS EXPRESSLY DECLARED TO BE IN THE PUBLIC INTEREST."

ReNUMBER succeeding subsections accordingly.

Page 4, line 8, strike "PROVIDE MATCHING FUNDS TO SUPPORT A PROPOSAL" and substitute "DIRECT THE ALLOCATION OF STATE MATCHING FUNDS TO THE EXTENT REQUIRED TO SUPPORT ONE OR MORE PROPOSALS";

line 12, after "FOR", insert "FEDERAL" and strike "FROM THE";

strike line 13 and substitute "AND ENERGY-RELATED RESEARCH".

Page 5, after line 1, insert the following:

(3) ON OR BEFORE MARCH 1, 2007, AND EACH MARCH 1 THEREAFTER, THE AUTHORITY SHALL SUBMIT A REPORT TO THE BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEES, SUMMARIZING THE ENERGY RESEARCH PROJECTS THAT RECEIVED FUNDING UNDER THIS ARTICLE IN THE PRECEDING CALENDAR YEAR. AT A MINIMUM, THE REPORT SHALL SPECIFY THE FOLLOWING INFORMATION WITH REGARD TO EACH SUCH PROJECT:

(I) A DESCRIPTION OF THE PROJECT, THE PRINCIPAL PERSONS OR ENTITIES INVOLVED IN THE PROJECT, AND THE AMOUNT OF FUNDING ALLOCATED TO EACH PRINCIPAL PERSON OR ENTITY;

(II) THE MANNER IN WHICH EACH PRINCIPAL PERSON OR ENTITY APPLIED THE FUNDING IN CONNECTION WITH THE PROJECT; AND

(III) THE RESULTS ACHIEVED BY THE PROJECT, INCLUDING IDENTIFIABLE MONETARY RETURNS TO THE AUTHORITY AND TO EACH PRINCIPAL PERSON OR ENTITY ASSOCIATED WITH THE PROJECT SINCE THE RECEIPT OF THE FUNDING.

(4) OF ANY REVENUES RECEIVED BY THE AUTHORITY AS A RESULT OF LICENSING AGREEMENTS OR OTHER TECHNOLOGY TRANSFER ACTIVITIES UNDER PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION, NINETY PERCENT SHALL BE RETAINED BY THE AUTHORITY FOR FUTURE USE IN ACCORDANCE WITH THIS ARTICLE AND TEN PERCENT SHALL BE REMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND.";

line 9, strike "A GRANT" and substitute "GRANTS";

strike lines 10 and 11 and substitute the following:

"MONEYS EQUAL TO OR EXCEEDING THE AMOUNT OF STATE MONEYS APPROPRIATED PURSUANT TO THIS ARTICLE HAS NOT BEEN RECEIVED BY JUNE 30, 2012,";

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strike lines 14 and 15 and substitute the following:

"TRUST FUND.";

line 16, strike "2009." and substitute "2012.";

line 24, strike "a grant" and substitute "grants";

strike lines 25 and 26 and substitute the following:

"federal moneys equal to or exceeding the amount of state moneys appropriated pursuant to this article has not been received by June 30, 2012, the".

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1092** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1400** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1393** be referred to the Committee of the Whole with favorable recommendation.

On motion of Senator Gordon, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Consideration of Governor's Appointments.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Isgar, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE WILDLIFE COMMISSION

for terms expiring March 1, 2010:

James "Roy" L. McAnally of Craig, Colorado, to serve as a representative of agricultural or produce growers from the Wildlife District 4 and as a Democrat, appointed;

J. Bradford Coors of Littleton, Colorado, to serve as a public at large member from the Wildlife District 3 and as a Republican, appointed;

Jeffrey A. Crawford of Englewood, Colorado, to serve as a public at large member from the Wildlife District 5 and as a Republican, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	E	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions -- SJR06-033.

CONSIDERATION OF RESOLUTIONS

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

On motion of Senator Boyd, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	E	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

Co-sponsors added: Bacon, Brophy, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Isgar, Jones, Keller, Kester, Lamborn, May R., McElhany, Mitchell, Owen, Sandoval, Shaffer, Spence, Takis, Tapia, Taylor, Teck, Tochtrop, Traylor, Tupa, Veiga, Wiens, Williams and Windels.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Memorials -- SJM06-004.

CONSIDERATION OF MEMORIALS

SJM06-004 by Senator(s) Gordon; also Representative(s) Romanoff--Concerning encouraging the members of Colorado's Congressional delegation to support the recommendations and findings of the Congressional Committee on Government Reform report regarding mercury in vaccines, and, in connection therewith, supporting the proposed Combating Autism Act of 2005.

Amendment No. 1(L.002), by Senator Gordon.

Amend printed memorial, page 1, strike lines 1 through 9 and substitute the following:

"WHEREAS, Autism spectrum disorders ("ASDs"), life-long disabilities, are the fastest-growing neuro-developmental disorders, occurring at a rate of 1 in 166 individuals; and

WHEREAS, This year, 700 individuals in Colorado will be diagnosed with an ASD; and

WHEREAS, The challenges and needs of those individuals with autism and their families over the course of their lives are great; and

WHEREAS, ASDs currently cost the United States' economy over \$90 billion per year and costs are projected to increase to \$200 to 400 billion per year by 2010; and

WHEREAS, Early intervention cuts by two-thirds the costs associated with life-long care of individuals with ASDs; and

WHEREAS, Information and education programs relating to ASDs are required to provide education to families and professionals on the risk factors, characteristics, identification, and diagnoses of ASDs; and

WHEREAS, The collection, analysis, and reporting of epidemiological data on autism and pervasive developmental disabilities,

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the implementation of a clearinghouse with expedient public data sharing, and the coordination of research and policy development aids in the understanding of ASDs and their treatment; and

WHEREAS, A need exists to expand, intensify, and coordinate the activities of the National Institutes of Health with respect to research on ASDs through the creation of autism centers of excellence; and

WHEREAS, A strategic plan for autism research and an associated budget for implementation need to be developed to support research on the causes and treatments of ASDs by institutes, centers, and divisions of the National Institutes of Health; and

WHEREAS, A need exists for the Centers for Disease Control to create a national autism and pervasive developmental disabilities surveillance and research program; and

WHEREAS, The establishment of an interagency autism coordinating committee is required to coordinate all efforts within the Department of Health and Human Services, National Institutes of Health, and the Centers for Disease Control and Prevention; to review and make recommendations concerning the strategic plan; and to develop and update the autism road map; and

WHEREAS, It is fiscally desirable to develop federally assisted statewide autism treatment programs to monitor the efficacy of autism screening, diagnosis, medical care, and early intervention programs and systems to ensure that all children are screened for autism before their second birthdays and that children with autism or children at risk of developing autism receive appropriate services as early as possible; now, therefore,

Be It Resolved by the Senate of the Sixty-fifth General Assembly of the State of Colorado, the House of Representatives concurring herein:

That we, the members of the Colorado General Assembly, request that the members of Colorado's Congressional delegation support the proposed revised "Combating Autism Act of 2005", which supports research, screening, and education of autism spectrum disorders.

Be It Further Resolved, That copies of this Joint Memorial be sent to the members of Colorado's Congressional delegation."

Strike page 2.

Page 1, strike lines 101 through 106 and substitute the following:

"CONCERNING A REQUEST THAT THE MEMBERS OF COLORADO'S CONGRESSIONAL DELEGATION SUPPORT THE "COMBATING AUTISM ACT OF 2005"."

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

On motion of Senator Gordon, the memorial, as amended, was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	E	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

Co-sponsors added: Bacon, Boyd, Brophy, Dyer, Entz, Evans, Fitz-Gerald, Groff, Grossman, Hagedorn, Isgar, Jones, Keller, Kester, Lamborn, May R., McElhany, Mitchell, Owen, Sandoval, Shaffer, Spence, Takis, Tapia, Taylor, Teck, Tochtrop, Traylor, Tupa, Veiga, Wiens, Williams and Windels.

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the Committee recommends that **HB06-1405** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB06-1283** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB06-1395** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **SCR06-006** be postponed indefinitely.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB06-1402** be postponed indefinitely.

On motion of Senator Gordon, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Granting Further Powers to the First Conference Committee on HB06-1386.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB06-1386 by Representative(s) Plant, Buescher, Hall; also Senator(s) Tapia, Keller, Owen-- Concerning transfers of money to the capital construction fund.

Senator Tapia moved that the Senate Conferes on the First Conference Committee on **HB06-1386** be granted permission to go beyond the scope of the differences between the two Houses.

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

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB06-014 by Senator(s) Taylor, Hanna; also Representative(s) White, Coleman, Schultheis, Vigil-- Concerning the regulation of entities subject to the real estate commission.

Senator Taylor moved that the Senate concur in House amendments to **SB06-014**, as printed in House Journal, March 16, page 783. The motion was **passed** by the following roll call vote:

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YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

YES	27	NO	8	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	N
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	N	Teck	N		

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

SB06-045 by Senator(s) Williams, Jones; also Representative(s) Solano, Hefley, Merrifield-- Concerning the investigation of child care providers, and making an appropriation therefor.

Senator Williams moved that the Senate concur in House amendments to **SB06-045**, as printed in House Journal, May 1, page 1575. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

YES	33	NO	2	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

SB06-110 by Senator(s) Wiens; also Representative(s) May M.--Concerning the creation of fraudulent documents for the purpose of unlawfully establishing legal status, and making an appropriation therefor.

Senator Wiens moved that the Senate concur in House amendments to **SB06-110**, as printed in House Journal, May 1, page 1597. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

IMMEDIATE RECONSIDERATION OF SB06-110

SB06-110 by Senator(s) Wiens; also Representative(s) May M.--Concerning the creation of fraudulent documents for the purpose of unlawfully establishing legal status, and making an appropriation therefor.

Having voted on the prevailing side, Senator Wiens moved for immediate reconsideration of the last Senate action, Repassage of SB06-110. The roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS (cont.)

SB06-110 by Senator(s) Wiens; also Representative(s) May M.--Concerning the creation of fraudulent documents for the purpose of unlawfully establishing legal status, and making an appropriation therefor.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

SB06-206 by Senator(s) Groff, Grossman, Shaffer; also Representative(s) Green--Concerning a prohibition on the smuggling of humans into Colorado, and making an appropriation in connection therewith.

Senator Groff moved that the Senate not concur in House amendments to **SB06-206**, as printed in House Journal, May 1, pages 1601-1602, and that a Conference Committee be appointed.

The motion was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

SB06-069 by Senator(s) Windels; also Representative(s) Merrifield--Concerning school accountability.

Senator Windels moved that the Senate concur in House amendments to **SB06-069**, as printed in House Journal, May 1, page 1602. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	N		

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

SB06-218 by Senator(s) Keller; also Representative(s) Coleman, Larson--Concerning financial support for programs benefitting disabled telephone users, and making an appropriation therefor.

Senator Keller moved that the Senate concur in House amendments to **SB06-218**, as printed in House Journal, May 1, page 1602. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

Co-sponsors added: Windels.

SB06-148 by Senator(s) Tapia; also Representative(s) McFadyen--Concerning the creation of community policing programs by local law enforcement agencies.

Senator Tapia moved that the Senate concur in House amendments to **SB06-148**, as printed in House Journal, May 1, page 1602. The motion was **passed** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	N		

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

YES	33	NO	2	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	N		

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

Co-sponsors added: Jones and Kester.

SB06-149 by Senator(s) May R.; also Representative(s) Coleman--Concerning oversight of communications and information resources technologies in state agencies.

Senator Tapia moved that the Senate concur in House amendments to **SB06-149**, as printed in House Journal, May 2, pages 1649-1651. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

Co-sponsors added: Jones, Kester and Teck.

SB06-106 by Senator(s) Grossman, Groff, Veiga; also Representative(s) McGihon, Carroll T., Hefley, King, Marshall--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.

Senator Grossman moved that the Senate concur in House amendments to **SB06-106**, as printed in House Journal, May 1, pages 1596-1597. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

Co-sponsors added: Tapia.

SB06-059 by Senator(s) Tapia, Hanna; also Representative(s) Frangas, Marshall, McGihon-- Concerning children's dental programs, and making an appropriation therefor.

Senator Tapia moved that the Senate adhere to its position on **SB06-059**. The motion was declared **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

SB06-089 by Senator(s) Hagedorn; also Representative(s) Carroll M.--Concerning common interest communities.

Senator Hagedorn moved that the Senate not concur in House amendments to **SB06-089**, as printed in House Journal, May 2, pages 1687-1688, and that a Conference Committee be appointed.

The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

SB06-130 by Senator(s) Bacon; also Representative(s) White--Concerning the restoration of funding for boards of cooperative services, and making an appropriation therefor.

Senator Bacon moved that the Senate concur in House amendments to **SB06-130**, as printed in House Journal, May 2, page 1689. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

Co-sponsors added: Boyd, Keller, Kester, Tapia, Teck, Tochtrop and Windels.

SB06-165 by Senator(s) Hagedorn; also Representative(s) Gardner--Concerning the use of telemedicine to promote efficiency in the delivery of health care services, and, in connection therewith, establishing pilot programs to demonstrate such efficiency, and making an appropriation.

Senator Hagedorn moved that the Senate concur in House amendments to **SB06-165**, as printed in House Journal, May 2, pages 1689-1690. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

Co-sponsors added: Jones, Kester, Owen and Tapia.

SB06-048

by Senator(s) Tapia, Bacon, Evans; also Representative(s) Massey, Borodkin--Concerning the pilot program for the director of research of the legislative council to use a dynamic model to analyze the economic impact of bills that make a tax policy change, and making an appropriation therefor.

Senator Tapia moved that the Senate concur in House amendments to **SB06-048**, as printed in House Journal, May 2, page 1690. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

Co-sponsors added: Teck.

SENATE RECEDE ON HB06-1159

HB06-1159

by Representative(s) Paccione; also Senator(s) Johnson--Concerning the annexation of enclave areas.

Senator Johnson moved that the Senate recede from its position on **HB06-1159**, and concur in the House amendments. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was declared **repassed**.
 (For further action, see Senate Journal, May 4, page 1243.)

THIRD READING OF BILLS -- FINAL PASSAGE

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

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

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

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	N
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	N	Keller	Y	Spence	N	Wiens	N
Evans	N	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	N	President	Y
Grossman	Y	McElhany	N	Teck	N		

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

Co-sponsors added: Bacon, Boyd, Groff, Grossman, Keller, Sandoval, Shaffer, Veiga, Williams and Windels.

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Groff, Chairman, Shaffer, and Traylor as Senate Conferees on the First Conference Committee on **SB06-206**.

The President appointed Senators Hagedorn, Chairman, Tochtrop, and Taylor as Senate Conferees on the First Conference Committee on **SB06-089**.

COMMITTEE OF REFERENCE REPORTS

Judiciary

After consideration on the merits, the Committee recommends that **HB06-1407** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 1, line 102, strike "**DRIVER.**" and substitute "**TAXI CAB DRIVER LICENSED BY THE PUBLIC UTILITIES COMMISSION.**".

SENATE SERVICES REPORT

- Correctly Printed:** SJR06-054.
- Correctly Engrossed:** SJR06-044, and 053.
- Correctly Reengrossed:** SB06-239.
- Correctly Revised:** HB06-1344.
- Correctly Rerevised:** HB06-1001, 1004, 1011, 1017, 1045, 1057, 1058, 1145, 1149, 1151, 1153, 1171, 1211, 1257, 1270, 1304, 1310, 1311, 1312, 1315, 1326, 1331, 1337, 1362, 1363, 1380, 1387, 1388, and 1390.
- Correctly Enrolled:** SB06-037, 041, 049, 058, 071, 129, 172, 176, and 204.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB06-001.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, May 4, 2006, at 10:15 a.m.:

SB06-001.

On motion of Senator Gordon, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SCR06-008, HB06-1398, HB06-1003, HB06-1178, HB06-1408, HB06-1409, HB06-1391, HB06-1352, HB06-1411, HB06-1393, HB06-1400, HB06-1092, HB06-1283, HB06-1302, HB06-1336, HB06-1343, HB06-1395, HB06-1384, HB06-1322, HB06-1396, HB06-1399, HB06-1405, HB06-1407 were made Special Orders at 10:55 a.m.

Committee of the Whole

The hour of 10:55 a.m. having arrived, Senator Tochtrop moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Tochtrop was called to the Chair to act as Chairman.

SPECIAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

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

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 2, page 1182 and placed in members' bill files.)

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Amendment No. 2(L.007), by Senator Owen.

Amend reengrossed bill, page 9, line 10, strike "TRANSFER" and substitute "TRANSFER, OUT OF";

line 12, strike "(VI) ON THE DATE ON WHICH THE" and substitute "(VI), ON SEPTEMBER 20, 2007, AND ON SEPTEMBER 20 OF EACH SUCCEEDING FISCAL YEAR, THE AMOUNTS NEEDED TO ENSURE THAT THE CUMULATIVE AMOUNTS REQUIRED TO BE ACCRUED AND TRANSFERRED FROM THE SALES AND USE TAX HOLDING FUND TO THE HIGHWAY USERS TAX FUND AND, IF APPLICABLE TO THE GENERAL FUND, EQUAL NINETY PERCENT OF THE AGGREGATE AMOUNTS REQUIRED TO BE ACCRUED AND TRANSFERRED TO THE FUNDS PURSUANT TO THIS SECTION FOR THE ENTIRE PRECEDING FISCAL YEAR. THE STATE TREASURER SHALL TRANSFER THE REMAINDER OF THE AMOUNTS ACCRUED PURSUANT TO SAID SUB-SUBPARAGRAPHS ON THE DATE ON WHICH THE".

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

HB06-1408 by Representative(s) Massey; also Senator(s) Taylor--Concerning off-site ground water monitoring wells in mining operations.

Amendment No. 1, Agriculture, Natural Resources and Energy Committee Amendment.
(Printed in Senate Journal, May 3, page 1207 and placed in members' bill files.)

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

Amend reengrossed bill, page 2, line 17, strike "OFF-SITE GROUND";

line 18, strike "WATER MONITORING WELLS OR";

line 22, strike "operation." and substitute "operation OR OFF-SITE GROUND WATER MONITORING WELLS.".

Page 3, line 10, strike "OFF-SITE GROUND";

line 11, strike "WATER MONITORING WELLS,";

line 14, strike "operation." and substitute "operation OR OFF-SITE GROUND WATER MONITORING WELLS.".

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

HB06-1409 by Representative(s) Jahn; also Senator(s) Tochtrop--Concerning the authority to simulcast out-of-state greyhound races at greyhound race facilities.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

HB06-1391 by Representative(s) Hefley, Carroll T., King, Marshall, McGihon; also Senator(s) Groff, Dyer, Grossman, Mitchell, Veiga--Concerning the revision of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, inconsistent, and conflicting provisions of law and clarifying the language to reflect the legislative intent of the laws.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, May 3, pages 1214-1215 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Tochtrop, the Report of the Committee of the Whole was adopted and, a majority of all members elected to the Senate having voted in the affirmative, the

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following action was taken:

Passed on Second Reading: HB06-1398 as amended, HB06-1408 as amended, HB06-1409, HB06-1391 as amended. Laid over until the next Special Order -- Second Reading of Bills calender, Thursday, May 4: HB06-1352, HB06-1411, HB06-1393, HB06-1400, HB06-1092, HB06-1283, HB06-1302, HB06-1336, HB06-1343, HB06-1395, HB06-1384, HB06-1322, HB06-1396, HB06-1399, HB06-1405, HB06-1407, SCR06-008, HB06-1003, HB06-1178.

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the Committee recommends that HB06-1397 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the State, Veterans & Military Affairs Committee Report, dated May 3, 2006, page 1, strike lines 10 through 14, and substitute the following:

"line 25, strike "DEPARTMENTS." and substitute "DEPARTMENTS SUBJECT TO AVAILABLE APPROPRIATIONS FROM THE GENERAL FUND."."

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON SB06-224

***** THIS REPORT AMENDS THE REREVISED BILL *****

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

Your first conference committee appointed on SB06-224, concerning event data recorded as a motor vehicle feature, 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 change:

Page 4, before line 1, insert the following:

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

Reletter succeeding paragraphs accordingly.

Respectfully submitted,

Senate Committee: (signed) Senator Isgar, Chair Senator Williams Senator Traylor

House Committee: (signed) Representative Harvey, Chair Representative McFadyen Representative Pommer

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB06-1386

THIS REPORT AMENDS THE
REREVISED BILL

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

Your first conference committee appointed on HB06-1386,
concerning transfers of money to the capital construction fund, has met
and reports that it has agreed upon the following:

That the House accede to the Senate amendment made to the bill,
as the amendment appears in the rerevised bill, with the following
change:

Amend rerevised bill, page 2, strike lines 14 and 15 and substitute the
following:

"(s) On July 1, 2006, FORTY-SIX MILLION NINE HUNDRED
FORTY-FOUR THOUSAND SIX HUNDRED EIGHTY-SEVEN DOLLARS, PLUS
twenty-two thousand".

Respectfully submitted,

House Committee:	Senate Committee:
(signed)	(signed)
Representative Plant, Chair	Senator Tapia, Chair
Representative Buescher	Senator Keller
Representative Hall	Senator Owen

Health &
Human
Services

The Committee on Health and Human Services has had under consideration and has had a
hearing on the following appointments and recommends that the appointments be
confirmed:

MEMBER OF THE
UNIVERSITY OF COLORADO HOSPITAL AUTHORITY BOARD

for a term effective November 1, 2005:

Robert Moore, from the Sixth Congressional District, to serve for as long as he holds the
position of Vice President for Budget and Finance of the University of Colorado.

Health &
Human
Services

After consideration on the merits, the Committee recommends that **HB06-1410** be referred
to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

May 4, 2006
Madame President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB06-1412, amended as printed in House Journal, May 2, pages 1681-1682.

The House has passed on Third Reading and returns herewith SB06-081.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB06-131, amended as printed in House Journal, May 3, pages 1727-1728.

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SB06-138, amended as printed in House Journal, May 3, page 1729, and amended on Third Reading, May 4. 1 2

SB06-198, amended as printed in House Journal, May 3, pages 1730-1732. 3

SB06-064, amended as printed in House Journal, May 3, pages 1732-1736. 4

The House has postponed indefinitely SJR06-042. The bill is returned herewith. 5 6

In response to the request of the Senate, the Speaker has appointed Representatives Harvey, chairman, Pommer, and McFadyen as House conferees on the First Conference Committee on SB06-224. The House has voted to grant the House conferees on the First Conference Committee on SB06-224 to consider matters not at issue between the two houses. 7 8 9 10 11 12

The House has voted to reject the Conference Committee Report on HB06-1090, and requests the Conferees be discharged and that a second Conference Committee be appointed. The Speaker has appointed Representatives Green, chairman, McGihon and Gardner as House conferees on the First Conference Committee on HB06-1090. The House has voted to grant the House conferees on the First Conference Committee on HB06-1090 to consider matters not at issue between the two houses. 13 14 15 16 17 18 19

The House has adopted the First Report of the First Conference Committee on HB06-1209, as printed in House Journal, April 28, page 1548, and has repassed the bill as amended. 20 21 22 23

The House has adopted the First Report of the First Conference Committee on HB06-1288, as printed in House Journal, April 28, page 1548, and has repassed the bill as amended. 24 25 26 27

The House has adopted the First Report of the First Conference Committee on SB06-209, as printed in House Journal, May 2, page 1696, and has repassed the bill as so amended. The bill is returned herewith. 28 29 30 31 32

The House has adopted the First Report of the First Conference Committee on SB06-094, as printed in House Journal, May 3, page 1726, and has repassed the bill as so amended. The bill is returned herewith. 33 34 35 36

In response to the request of the Senate, the Speaker has appointed Representatives Marshall, chairman, Weissmann, and Berens as House conferees on the First Conference Committee on SB06-036. 37 38 39 40

MESSAGE FROM THE REVISOR OF STATUTES

May 4, 2006

We herewith transmit:

Without comment, as amended, HB06-1412.

Without comment, as amended, SB06-064, 131, 138, and 198.

INTRODUCTION OF BILLS -- FIRST READING

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

HB06-1412 by Representative(s) Plant; also Senator(s) Sandoval--Concerning the allocation of tobacco litigation settlement revenues, and, in connection therewith, increasing the allocations of such revenues for the read-to-achieve grant program and the Tony Grampas youth services program and requiring any such revenues not allocated to tobacco settlement programs to be credited to the tobacco litigation settlement trust fund. 54 55 56 57 58 59 60 61 62

State, Veterans & Military Affairs 63

RECONSIDERATION OF HB06-1159

HB06-1159 by Representative(s) Paccione; also Senator(s) Johnson--Concerning the annexation of enclave areas.

Having voted on the prevailing side, Senator Johnson moved for reconsideration of the last Senate action, Consideration of Conference Committee Report and Repassage of HB06-1159, on April 6, page 792. The roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

SENATE RECEDE ON HB06-1159

HB06-1159 by Representative(s) Paccione; also Senator(s) Johnson--Concerning the annexation of enclave areas.

Senator Johnson moved that the Senate recede from its position, that the Conference Committee be dissolved and that the Senate Conferees be discharged and that the Senate concur in House Amendments. The motion was declared **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

Co-sponsors added: Bacon.

REQUEST FOR A CONFERENCE COMMITTEE -- HB06-1090

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

Senator Tupa moved that the First Conference Committee on HB06-1090 be dissolved, that a Second Conference Committee be appointed and that the members be given powers to go beyond the scope of the differences between the two Houses.

The motion was declared adopted on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Tupa, Chairman, Fitz-Gerald, and Mitchell as Senate Conferees on the Second Conference Committee on **HB06-1090**.

On motion of Senator Gordon, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Consideration of House Amendments to Senate Bills -- SB06-198.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB06-198 by Senator(s) Johnson, Bacon, Dyer, Entz, Evans, Fitz-Gerald, Groff, Grossman, Hagedorn, Hanna, Isgar, Keller, Kester, Owen, Sandoval, Shaffer, Spence, Tapia, Tochtrop, Traylor, Williams, Windels; also Representative(s) Romanoff, Madden, Benefield, Berens, Boyd, Carroll M., Carroll T., Cerbo, Cloer, Coleman, Decker, Frangas, Gallegos, Garcia, Green, Hodge, Jahn, Kerr, King, Larson, Liston, McGihon, McKinley, Paccione, Pommer, Ragsdale, Riesberg, Rose, Solano, Soper, Stafford, Stengel, Sullivan, Todd, Vigil, Weissmann--Concerning contractual agreements with health care providers to provide health care services.

Senator Johnson moved that the Senate not concur in House amendments to **SB06-198**, as printed in House Journal, May 3, pages 1730-1732, and that a Conference Committee be appointed.

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

Senator Johnson moved that the Senate Conferees on the First Conference Committee on **SB06-198** be granted permission to go beyond the scope of the differences between the two Houses.

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

The President appointed Senators Johnson, Chairman, Hagedorn, and Boyd as Senate Conferees on the First Conference Committee on **SB06-198**.

On motion of Senator Gordon, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Consideration of House Amendments to Senate Bills -- SB06-138.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

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

Senator Shaffer moved that the Senate not concur in House amendments to **SB06-138**, as printed in House Journal, May 3, page 1729 and May 4, and that a Conference Committee be appointed.

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

Senator Shaffer moved that the Senate Conferees on the First Conference Committee on **SB06-138** be granted permission to go beyond the scope of the differences between the two Houses.

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

The President appointed Senators Shaffer, Chairman, Grossman, and Entz as Senate Conferees on the First Conference Committee on **SB06-138**.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB06-1169 by Representative(s) Decker, Cloer, Harvey, Todd; also Senator(s) Bacon--Concerning protecting personal information in domestic case filings that are open to inspection by the public.

Senator Bacon moved that the Senate Conferees on the First Conference Committee on **HB06-1169** be granted permission to go beyond the scope of the differences between the two Houses.

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

On motion of Senator Gordon, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB06-1352, HB06-1411, HB06-1393, HB06-1400, HB06-1092, HB06-1283, HB06-1302, HB06-1336, HB06-1343, HB06-1395, HB06-1384, HB06-1322, HB06-1396, HB06-1399, HB06-1405, HB06-1407, SCR06-008, HB06-1003, HB06-1178 were made Special Orders at 3:05 p.m.

Committee of the Whole The hour of 3:05 p.m. having arrived, Senator Veiga moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Veiga was called to the Chair to act as Chairman.

SPECIAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

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

Ordered revised and placed on the calendar for Third Reading and Final Passage.

HB06-1400 by Representative(s) Buescher, Penry, Curry; also Senator(s) Isgar--Concerning interbasin compacts, and, in connection therewith, approving the interbasin compact charter,

altering the boundaries that define certain western slope basin roundtables, and making an appropriation.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

HB06-1092 by Representative(s) Schultheis, Harvey, Lundberg, Penry, Welker; also Senator(s) Jones, Brophy, Johnson--Concerning increasing the penalty for sexual exploitation of a child by possession of sexually exploitative material, and making an appropriation therefor.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 2, page 1168 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

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

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 3, pages 1211-1212 and placed in members' bill files.)

Amendment No. 2(L.011), by Senator Mitchell.

Amend the State, Veterans, and Military Affairs Committee Report, dated May 3, 2006, page 1, line 2, strike "9" and substitute "8";

strike lines 3 and 4 and substitute the following:

""FURTHERING A PUBLIC USE.".

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

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

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, May 3, page 1208 and placed in members' bill files.)
(Committee Report was severed: Part 1: lines 1 and 2 was declared adopted; Part 2: lines 3 through 17 was declared adopted.)

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

HB06-1336 by Representative(s) McGihon, Riesberg; also Senator(s) Grossman--Concerning the enactment of the "Uniform Athlete Agents Act", and, in connection therewith, conforming existing statutes governing the conduct of athlete agents, and making an appropriation.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

HB06-1395 by Representative(s) Buescher, Hall, Plant; also Senator(s) Keller, Owen, Tapia--Concerning residential child health care, and making an appropriation in connection therefor.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 3, page 1218 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

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HB06-1384 by Representative(s) Buescher, McFadyen, Butcher; also Senator(s) Tapia--Concerning the expenditure of moneys from the Colorado travel and tourism promotion fund to benefit the Colorado state fair, and making an appropriation therefor.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

HB06-1302 by Representative(s) Stengel; also Senator(s) Gordon--Concerning auto emissions testing, and making an appropriation therefor.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, May 4, page 1222 and placed in members' bill files.)

Amendment No. 2(L.027), by Senator Gordon.

Amend Appropriations Committee Report, dated May 4, 2006, page 1, line 4, after "42-3-304", insert "(19) (a) (I) and";

line 5, strike the first "is" and substitute "are";

after line 7, insert the following:

"(I) In addition to any other fee imposed by this section, county clerks and recorders, acting as agents for the clean screen authority, shall collect at the time of registration an emissions inspection fee in an amount determined by section 42-4-311 (6) (a) OR, AFTER IMPLEMENTATION OF THE PLAN BY THE COMMISSION AS PRESCRIBED BY HOUSE BILL 06-1302, AS ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY, IN ACCORDANCE WITH SECTION 42-4-311 (6) (c), on every motor vehicle that the department of revenue has determined from data provided by its contractor to have been clean screened; except that the motorist shall not be required to pay such emissions inspection fee if the county clerk and recorder determines that a valid certification of emissions compliance has already been issued for the vehicle being registered indicating that the vehicle passed the applicable emissions test at an enhanced inspection center, inspection and readjustment station, motor vehicle dealer test facility, or fleet inspection station.";

line 8 of the committee report, strike ""(II)" and substitute "(II)".

Amendment No. 3(L.025), by Senator Gordon.

Amend reengrossed bill, page 8, line 20, strike "PART 3," and substitute "PART 3 AND IF THE COMMISSION FINDS THAT THIS ACTION DOES NOT VIOLATE FEDERAL AIR QUALITY STANDARDS,".

Amendment No. 4(L.026), by Senator Gordon.

Amend reengrossed bill, page 2, after line 3, insert the following:

SECTION 2. 42-4-304, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

42-4-304. Definitions relating to automobile inspection and readjustment program. As used in sections 42-4-301 to 42-4-316, unless the context otherwise requires:

(15.5) "HIGHEMITTER PROGRAM" MEANS A PROGRAM TO IDENTIFY MOTOR VEHICLES WHOSE EMISSIONS OR AIR POLLUTANTS ARE SUBSTANTIALLY HIGHER THAN THE LEVELS DEEMED ACCEPTABLE UNDER THE AIR PROGRAM. SUCH VEHICLES SHALL BE REPAIRED IN COMPLIANCE WITH THE AIR PROGRAM OR SHALL BE SUBJECT TO ADMINISTRATIVE SUSPENSION OF VEHICLE REGISTRATION.

(23.5) "VEHICLE" MEANS A MOTOR VEHICLE AS DEFINED IN SUBSECTION (18) OF THIS SECTION."

Renumber succeeding sections accordingly.

Page 2, line 13, strike "AS USED IN";

strike lines 14 through 17;

line 25, strike "PROGRAM.", substitute "PROGRAM, THE ELIMINATION OF THE REQUIREMENT FOR REGULAR MOTOR VEHICLE EMISSIONS INSPECTIONS, AND THE APPROPRIATE REDUCTION OF THE EMISSIONS INSPECTION FEE."

Page 3, after line 8, insert the following:

"(15) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT MAY ENTER INTO A CONTRACT EXTENSION WITH THE CONTRACTOR AS NECESSARY IN ORDER TO IMPLEMENT HOUSE BILL 06-1302, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY. IN EVALUATING A CONTRACT EXTENSION, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND THE COMMISSION SHALL CONSIDER A REDUCTION IN THE FEES SET FORTH IN SECTION 42-3-304, C.R.S."

Page 4, line 7, after "COMMISSION.", add "THE COMMISSION SHALL USE BEST EFFORTS TO ELIMINATE THE REQUIREMENT FOR REGULAR EMISSIONS INSPECTIONS AND TO REPLACE THE REGULARLY SCHEDULED BASIC AND ENHANCED EMISSIONS TESTING PROGRAM WITH A HIGH EMITTER PROGRAM.";

strike line 8 and substitute the following:

"(2) IF MODEL YEAR EXEMPTIONS OR CLEAN SCREEN TESTING IS EXPANDED, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT MAY REDUCE";

line 9, strike "ENVIRONMENT,";

strike lines 11 through 14 and substitute the following:

"PROGRAM AREA. THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL CONSIDER SUCH REDUCTIONS WHEN ESTABLISHING OR ADJUSTING COMPENSATION PAID TO THE CONTRACTOR."

Page 5, line 19, strike "SUCCESSFULLY, SCRAP THE VEHICLE, OR" and substitute "SUCCESSFULLY.";

strike lines 20 through 24.

Page 7, after line 12, insert the following:

"SECTION 7. 42-4-311 (6), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

42-4-311. Operation of inspection and readjustment stations - inspection-only facilities - fleet inspection stations - motor vehicle dealer test facilities - enhanced inspection centers.

(6) (c) NOTWITHSTANDING PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (6), AT SUCH TIME THAT THE PLAN DEVELOPED PURSUANT TO SECTION 42-4-307.7 IS IMPLEMENTED, THE EMISSIONS INSPECTION FEE CHARGED PURSUANT TO THE CLEAN SCREEN PROGRAM SHALL NOT EXCEED NINE DOLLARS. SUCH FEE SHALL BE IN ACCORDANCE WITH SECTION 42-3-304 (19) (a) (I)."

Renumber succeeding sections accordingly.

Page 7, line 18, strike "A CLEAN SCREEN TEST" and substitute "UNDER THE HIGH EMITTER PROGRAM";

strike lines 21 through 25 and substitute the following:

"SUCCESSFULLY."

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Page 8, line 2, strike "CANCELLED" and substitute "ADMINISTRATIVELY SUSPENDED";

line 3, strike "SECTION 42-4-310." and substitute "THIS PART 3.";

strike lines 4 and 5 and substitute the following:

"THE REGISTRATION SHALL NOT BE REINSTATED UNTIL THE VEHICLE OWNER PROVIDES PROOF OF COMPLIANCE WITH THIS PART 3 AND PAYS ANY APPLICABLE FINES.";

line 6, strike "42-4-316," and substitute "42-4-316 (1),";

line 10, strike "OR" and substitute "AND THE";

line 11, strike "~~demonstrates to the commission~~" and substitute "~~demonstrates to the commission~~ AGREE THAT IT HAS BEEN DEMONSTRATED";

line 20, before "NOTWITHSTANDING", insert "THE COMMISSION SHALL HAVE THE AUTHORITY TO ELIMINATE ALL REQUIREMENTS FOR REGULARLY SCHEDULED BASIC OR ENHANCED EMISSIONS INSPECTIONS OF MOTOR VEHICLES.".

Page 9, line 19, after "AREA.", insert "THE COMMISSION SHALL HAVE THE AUTHORITY TO REDUCE, BUT NOT INCREASE, EMISSIONS INSPECTION FEES.";

line 22, after "YEAR.", add "THE CONTRACTOR SHALL BE PAID ON THE BASIS OF THE NUMBER OF VEHICLES INSPECTED AT ENHANCED INSPECTION CENTERS, WHICH PAYMENT SHALL INCLUDE PAYMENT FOR DUPLICATE INSPECTIONS WHEN REQUIRED FOR EMISSIONS COMPLIANCE VERIFICATION. THE CONTRACTOR SHALL ALSO BE PAID BASED ON THE NUMBER OF UNIQUE VEHICLES TESTED BY REMOTE SENSING FOR THE HIGH EMITTER PROGRAM. THE CONTRACTOR SHALL NOT BE PAID FOR VEHICLE REMOTE SENSING TESTS MORE THAN ONCE FOR THE SAME VEHICLE IN ANY TWELVE-MONTH VEHICLE REGISTRATION PERIOD, BUT SHALL FURNISH DUPLICATE VEHICLE TEST DATA TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.".

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

HB06-1396 by Representative(s) Kerr A., Berens, Green, McGihon, Plant, Riesberg, Soper, Weissmann; also Senator(s) Tapia, Boyd, Sandoval--Concerning the funding of school-based health centers, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 2, page 1167-1168 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 4, page 1223 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

HB06-1399 by Representative(s) Hall, Plant, Buescher; also Senator(s) Tapia, Keller, Owen-- Concerning the authority to use a percentage of stipend spending authority to purchase postsecondary educational services if authorized by a fee-for-service contract.

Amendment No. 1(L.003), by Senators Tupa and Brophy.

Amend reengrossed bill, page 2, line 20, strike "UP" and substitute "IF THERE ARE MONEYS REMAINING IN THE COLLEGE OPPORTUNITY FUND AFTER THE FINAL CENSUS DATE OF THE LAST ACADEMIC TERM OF EACH STATE FISCAL YEAR, AS DETERMINED IN ACCORDANCE WITH THIS SECTION, UP".

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As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

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

Ordered revised and placed on the calendar for Third Reading and Final Passage.

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

Laid over until Friday, May 5, retaining its place on the calendar.

SCR06-008 by Senator(s) Gordon, Evans; --Submitting to the registered electors of the state of Colorado amendments to sections 44, 47, and 48 of article V of the constitution of the state of Colorado, concerning redistricting by the general assembly pursuant to a plan prepared by the nonpartisan staff of the general assembly without the ability to adopt substantive amendments to the plan, and, in connection therewith, repealing the reapportionment commission.

Laid over until Friday, May 5, retaining its place on the calendar.

HB06-1003 by Representative(s) Pommer, Borodkin, Green, Hefley, Larson, McFadyen; also Senator(s) Williams, Isgar, Wiens--Concerning private toll roads and toll highways, and, in connection therewith, specifying requirements that must be met before a corporation can construct a private toll road or toll highway.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, May 2, pages 1182-1184 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

Senator Gordon moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 6:00 p.m. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess. Committee of the Whole reconvened.

SPECIAL ORDERS -- SECOND READING OF BILLS (cont.)

HB06-1343 by Representative(s) Crane; also Senator(s) Keller--Concerning measures to ensure that an illegal alien does not perform work on a public contract for services, and making an appropriation in connection therewith.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 1, pages 1136-1137 and placed in members' bill files.)

Amendment No. 2(L.017), by Senator Keller.

Amend the State, Veterans & Military Affairs Committee Report, dated May 1, 2006, page 1, line 12, after "THE", insert "SUBCONTRACTOR AND

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THE";

line 13, after "THE", insert "CONTRACTOR HAS ACTUAL KNOWLEDGE THAT THE";

line 16, after "DAYS", insert "OF RECEIVING THE NOTICE REQUIRED PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II)".

Amendment No. 3(L.015), by Senator Tapia.

Amend the State, Veterans & Military Affairs Committee Report, dated May 1, 2006, page 1, strike line 8 and substitute the following:

""(II) A PROVISION THAT PROHIBITS THE CONTRACTOR FROM USING BASIC PILOT PROGRAM PROCEDURES TO UNDERTAKE PREEMPLOYMENT SCREENING OF JOB APPLICANTS WHILE THE PUBLIC CONTRACT FOR SERVICES IS BEING PERFORMED.

(III) A PROVISION THAT, IF THE CONTRACTOR OBTAINS ACTUAL".

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

HB06-1178 by Representative(s) Butcher, Borodkin, Carroll M., Paccione; also Senator(s) Williams-- Concerning the motorist insurance identification database program used to identify persons who own motor vehicles that are not insured, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for Third Reading and Final Passage. (For further action, see Amendments to the Report of the Committee of the Whole.)

HB06-1322 by Representative(s) Buescher; also Senator(s) Tapia--Concerning support for the development of clean energy resources using proceeds of the operational account of the severance tax trust fund, and making an appropriation in connection therewith.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 2, pages 1168-1171 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 4, pages 1223-1225 and placed in members' bill files.)

Amendment No. 3(L.012), by Senator Tapia.

Amend the State, Veterans and Military Affairs Committee Report, dated May 1, 2006, page 4, line 28, strike "PUBLIC;" and substitute "PUBLIC. THIS PARAGRAPH (d) SHALL NOT BE CONSTRUED TO PERMIT THE AUTHORITY TO CONSTRUCT A HEADQUARTERS OR OTHER BUILDING FOR ITS OWN USE.";

strike line 29.

Amendment No. 4(L.013), by Senator May.

Amend the Appropriations Committee Report, dated May 4, 2006, page 2, after line 22, insert the following:

"Page 2 of the State, Veterans, and Military Affairs Committee Report, line 11, after "OF", insert "ONE MEMBER APPOINTED BY THE GOVERNOR, WITH THE CONSENT OF THE SENATE, PLUS";

line 17, strike "EX OFFICIO".

Page 3 of the Appropriations Committee Report, strike lines 17 through 23 and substitute the following:

"(4) OF ANY REVENUES RECEIVED BY THE AUTHORITY AS A RESULT

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OF THE LICENSING OF ANY PATENT, TRADEMARK, OR COPYRIGHT OR OF ANY OTHER TECHNOLOGY TRANSFER ACTIVITY UNDER PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION, FIFTY PERCENT SHALL BE RETAINED BY THE AUTHORITY FOR FUTURE USE IN ACCORDANCE WITH THIS ARTICLE AND FIFTY PERCENT SHALL BE REMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND CREATED IN SECTION 39-29-109 (1) (a) (II), C.R.S., UNTIL AN AMOUNT EQUAL TO ALL APPROPRIATIONS TO DATE FROM THE OPERATIONAL ACCOUNT HAVE BEEN REPAID. THEREAFTER, SEVENTY PERCENT OF SUCH REVENUES SHALL BE RETAINED BY THE AUTHORITY FOR FUTURE USE IN ACCORDANCE WITH THIS ARTICLE AND THIRTY PERCENT SHALL BE REMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE OPERATIONAL ACCOUNT.";"

Amendment No. 5(L.014), by Senators Isgar, Tapia and Taylor.

Amend the Appropriations Committee Report, dated May 4, 2006, page 1, line 2, strike "strike" and substitute the following:

"line 4, strike "A NEW SUBSECTION" and substitute "THE FOLLOWING NEW SUBSECTIONS";

strike";

line 20, strike "AND SUBPARAGRAPH (IV) OF";

strike line 21 and substitute the following:

"AND SUBSECTION (8.5) OF THIS SECTION SHALL BE REDUCED".

Page 2, strike lines 1 and 2 and substitute the following:

"SUBSECTION (8) AND SUBSECTION (8.5) OF THIS SECTION.";

line 3, strike "2009." and substitute the following:

"2009.

(8.5) (a) SUBJECT TO THE END BALANCE REQUIREMENT OF PARAGRAPH (f) OF SUBSECTION (1.5) OF THIS SECTION AND THE MAINTENANCE OF A TWO-YEAR RESERVE PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (III) OF PARAGRAPH (c) OF SUBSECTION (1.5) OF THIS SECTION, FOR THREE STATE FISCAL YEARS BEGINNING WITH THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2006, THE STATE TREASURER SHALL TRANSFER A PORTION OF THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND TO THE AGRICULTURE VALUE-ADDED CASH FUND CREATED IN SECTION 35-75-205 (1), C.R.S., TO PROMOTE AGRICULTURAL ENERGY-RELATED PROJECTS AND RESEARCH. THE AMOUNT APPROPRIATED SHALL BE FIVE HUNDRED THOUSAND DOLLARS PER YEAR. IF THERE ARE INSUFFICIENT MONEYS IN THE OPERATIONAL ACCOUNT TO MAKE ALL APPROPRIATIONS AND TRANSFERS AT THE HIGHEST LEVEL AUTHORIZED BY LAW, THE TRANSFERS AUTHORIZED BY THIS SUBSECTION (8.5) AND SUBSECTION (8) OF THIS SECTION SHALL BE REDUCED PRO RATA AS NECESSARY TO ACCOMMODATE ALL APPROPRIATIONS AND TRANSFERS AT THE HIGHEST LEVEL AUTHORIZED BY LAW OTHER THAN THIS SUBSECTION (8.5) AND SUBSECTION (8) OF THIS SECTION.

(b) THIS SUBSECTION (8.5) IS REPEALED, EFFECTIVE JULY 1, 2009.";"

after line 22, insert the following:

"Page 2 of the State, Veterans and Military Affairs Committee Report, line 18, strike "(2)" and substitute "(3)"."

Page 3 of the Appropriations Committee Report, line 31, strike "2012.";" and substitute the following:

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""2012.

SECTION 3. 35-75-205, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

35-75-205. Tax credits, grants, loans and loan guarantees, and equity investments - agriculture value-added cash fund - created - repeal. (1.5) (a) FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2006, AND IN EACH OF THE STATE FISCAL YEARS COMMENCING ON JULY 1, 2007, AND JULY 1, 2008, THE GENERAL ASSEMBLY SHALL APPROPRIATE FIVE HUNDRED THOUSAND DOLLARS, OR SO MUCH THEREOF AS HAS BEEN TRANSFERRED PURSUANT TO SECTION 39-29-109 (8.5), C.R.S., FROM THE AGRICULTURE VALUE-ADDED CASH FUND TO THE DEPARTMENT OF AGRICULTURE, FOR ALLOCATION TO THE BOARD TO PROMOTE AGRICULTURAL ENERGY-RELATED PROJECTS AND RESEARCH.

(b) THIS SUBSECTION (1.5) IS REPEALED, EFFECTIVE JULY 1, 2009."

Renumber succeeding sections accordingly.

Page 5 of the State, Veterans and Military Affairs Committee Report, line 17, after "**Appropriation.**", insert "(1)";";

Page 4, line 5 of the Appropriations Committee Report, change the period to a semicolon;

after line 5, insert the following:

"after line 28 of the State, Veterans and Military Affairs Committee Report, insert the following:

"(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the agriculture value-added cash fund, created in section 35-75-205 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of agriculture for allocation to the agriculture value-added development board, created in section 35-75-203, Colorado Revised Statutes, for the fiscal year beginning July 1, 2006, the sum of five hundred thousand dollars (\$500,000), or so much thereof as may be necessary, for the implementation of this act."."

Amendment No. 6(L.016), by Senator Gordon.

Amend the State, Veterans, and Military Affairs Committee Report, dated May 1, 2006, page 5, after line 16, insert the following:

"SECTION 3. Article 1 of title 25, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

**PART 13
CLIMATE CHANGE MARKETS GRANT PROGRAM**

25-1-1301. Short title. THIS PART 13 SHALL BE KNOWN AND MAY BE CITED AS THE "COLORADO CLIMATE CHANGE MARKETS ACT".

25-1-1302. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) AS THE UNITED STATES AND OTHER COUNTRIES TAKE ACTION TO ADDRESS ISSUES RELATED TO CLIMATE CHANGE, COLORADO FACES IMPORTANT POLICY CHOICES.

(b) EMERGING TECHNOLOGIES AND MARKETS RELATED TO CLIMATE CHANGE PROMISE SIGNIFICANT ECONOMIC OPPORTUNITIES FOR THE STATE, PARTICULARLY FOR AGRICULTURE AND RURAL ECONOMIES.

(c) THE GENERAL ASSEMBLY ENACTS THE "COLORADO CLIMATE CHANGE MARKETS ACT" FOR THE PURPOSE OF POSITIONING COLORADO AT

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THE FOREFRONT OF EMERGING MARKETS RELATED TO CLIMATE CHANGE AND HELPING AFFECTED INDUSTRIES AND ECONOMIES BENEFIT FROM THESE OPPORTUNITIES.

25-1-1303. Grants for research - reports to general assembly.

(1) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL ADMINISTER A PROGRAM TO AWARD GRANTS PURSUANT TO THIS SECTION.

(2) (a) A GRANT OF FIFTY THOUSAND DOLLARS SHALL BE AWARDED TO COLORADO STATE UNIVERSITY TO CONDUCT RESEARCH ON THE POTENTIAL FOR THE USE OF TERRESTRIAL CARBON SEQUESTRATION IN AGRICULTURAL, RANGELAND, AND FOREST SOILS AS A TECHNIQUE FOR MITIGATING THE EMISSIONS OF GREENHOUSE GASES IN THE STATE.

(b) A GRANT OF FIFTY THOUSAND DOLLARS SHALL BE AWARDED TO THE COLORADO SCHOOL OF MINES TO CONDUCT RESEARCH ON THE POTENTIAL FOR THE USE OF GEOLOGIC CARBON SEQUESTRATION AS A TECHNIQUE FOR MITIGATING THE EMISSIONS OF GREENHOUSE GASES IN THE STATE.

(c) A GRANT OF THIRTY-FIVE THOUSAND DOLLARS SHALL BE AWARDED TO A PUBLIC UNIVERSITY IN THE STATE TO CONDUCT RESEARCH ON THE EMERGING INTERNATIONAL AND DOMESTIC MARKETS IN GREENHOUSE GAS EMISSIONS AND TO CONDUCT RESEARCH ON PRIVATE FIRMS IN VARIOUS ECONOMIC SECTORS THAT ARE REDUCING EMISSIONS OF GREENHOUSE GASES.

(3) EACH RECIPIENT OF A GRANT AWARDED PURSUANT TO THIS SECTION SHALL REPORT THE RESULTS OF THE RESEARCH CONDUCTED UNDER THE GRANT TO THE AGRICULTURE COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES NO LATER THAN MARCH 15, 2007.

SECTION 4. 39-29-109 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

39-29-109. Severance tax trust fund - created - administration - use of moneys - repeal. (1) (k) NOTWITHSTANDING ANY PROVISION IN THIS SECTION TO THE CONTRARY, AND SUBJECT TO THE MAINTENANCE OF A TWO-YEAR RESERVE PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (III) OF PARAGRAPH (c) OF THIS SUBSECTION (1), ON JULY 1, 2006, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS, OR SO MUCH THEREOF AS MAY BE AVAILABLE, OF THE UNENCUMBERED AND UNEXPENDED BALANCE OF THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR THE PURPOSE OF IMPLEMENTING SECTION 25-1-1303, C.R.S."

Renumber succeeding sections accordingly.

Page 5, line 17, strike "**Appropriation.**" and substitute "**Appropriations.** (1)";

after line 28, insert the following:

"(2) In addition to any other appropriation, there is hereby appropriated, out of the moneys transferred to the department of public health and environment pursuant to section 39-29-109 (1) (k), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2006, the sum of one hundred thirty-five thousand dollars (\$135,000), or so much thereof as may be necessary, for the implementation of this act."

Amendment No. 7(L.017), by Senator Tapia.

Amend the State, Veterans, and Military Affairs Committee Report, dated May 1, 2006, page 3, strike lines 28 and 29.

Reletter succeeding paragraphs accordingly.

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Amendment No. 8(L.020), by Senator Tapia.

Amend the State, Veterans, and Military Affairs Committee Report, dated May 1, 2006, page 4, strike lines 24 through 28 and substitute the following:

"(d) BECOME A REGIONAL RESOURCE AND CLEARING HOUSE FOR RENEWABLE ENERGY INFORMATION, WHICH THE AUTHORITY SHALL MAKE AVAILABLE TO THE GENERAL PUBLIC AND TO ENGINEERING, ARCHITECTURAL, AND DESIGN PROFESSIONALS;"

Amendment No. 9(L.021), by Senator Tapia.

Amend the State, Veterans, and Military Affairs Committee Report, dated May 1, 2006, page 2, line 11, strike "JULY 1, 2008," and substitute "JANUARY 1, 2007,";

line 16, strike "JULY 1, 2008," and substitute "JANUARY 1, 2007,".

Amendment No. 10(L.022), by Senator Gordon.

Amend the Gordon floor amendment, (HB1322_L.016), page 2, line 15, strike "A PUBLIC UNIVERSITY IN THE STATE" and substitute "THE UNIVERSITY OF COLORADO".

Amendment No. 11(L.023), by Senator Tapia.

Strike the Tapia floor amendment, (HB1322_L.012).

Amend the Tapia floor amendment, (HB1322_L.020), page 1, line 7, strike "PROFESSIONALS;" and substitute "PROFESSIONALS. THE AUTHORITY SHALL NOT CONSTRUCT A HEADQUARTERS OR OTHER BUILDING FOR ITS OWN USE;".

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

HB06-1352 by Representative(s) McFadyen, Buescher, Butcher, Curry, Gallegos, Massey; also Senator(s) Gordon--Concerning an expansion of water judges' jurisdiction to address the effects of a water right adjudication on water quality.

Amendment No. 1, Agriculture, Natural Resources and Energy Committee Amendment.
(Printed in Senate Journal, May 3, page 1207 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.
(For further action, see Amendments to the Report of the Committee of the Whole.)

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB06-1178 by Representative(s) Butcher, Borodkin, Carroll M., Paccione; also Senator(s) Williams-- Concerning the motorist insurance identification database program used to identify persons who own motor vehicles that are not insured, and, in connection therewith, making an appropriation.

Senator McElhany moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 06-1178 did pass.

Amend reengrossed bill, page 3, strike lines 8 through 14 and substitute the following:

"SECTION 5. 42-3-304 (18) (d), Colorado Revised Statutes, is

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amended to read:

42-3-304. Registration fees - passenger and passenger-mile taxes - clean screen fund - repeal. (18) (d) (I) (A) In addition to any other fee imposed by this section, the owner shall pay, at the time of registration of any motor vehicle in the state, a motorist insurance identification fee. The fee shall be adjusted annually by the department, based upon moneys appropriated by the general assembly for the operation of the motorist insurance identification database program. In no event shall the fee exceed fifty cents. The fee shall be transmitted to the state treasurer, who shall credit it to a special account within the highway users tax fund, to be known as the motorist insurance identification account, which is hereby created. Moneys in the motorist insurance identification account shall be used, subject to appropriation by the general assembly, to cover the costs of administration and enforcement of the motorist insurance identification database program, created in section 42-7-604; except that the state treasurer shall transfer moneys in the account in excess of the amount of moneys appropriated from the account to the highway users tax fund for allocation and expenditure as specified in section 43-4-205 (5.5) (c), C.R.S.

(B) NOTWITHSTANDING SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (I), THE FEE IMPOSED BY THIS SUBPARAGRAPH (I) SHALL NOT EXCEED TWENTY-FIVE CENTS, EFFECTIVE JULY 1, 2007.

(II) This paragraph (d) is repealed, effective July 1, 2006 2008, unless the motorist insurance identification database program created in section 42-7-604 is extended by the general assembly beyond such date.

The amendment to the Report of the Committee of the Whole was declared LOST on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Bacon	N	Hagedorn	N	Mitchell	Y	Tochtrop	N
Boyd	N	Isgar	N	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	N	Tupa	N
Dyer	Y	Jones	Y	Shaffer	N	Veiga	Y
Entz	Y	Keller	N	Spence	Y	Wiens	Y
Evans	Y	Kester	N	Takis	N	Williams	N
Gordon	N	Lamborn	Y	Tapia	N	Windels	N
Groff	N	May R.	Y	Taylor	N	President	N
Grossman	N	McElhany	Y	Teck	Y		

HB06-1352 by Representative(s) McFadyen, Buescher, Butcher, Curry, Gallegos, Massey; also Senator(s) Gordon--Concerning an expansion of water judges' jurisdiction to address the effects of a water right adjudication on water quality.

Senator Evans moved to amend the Report of the Committee of the Whole to show that HB 06-1352 did not pass.

The amendment to the Report of the Committee of the Whole was declared LOST on the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Bacon	N	Hagedorn	Y	Mitchell	Y	Tochtrop	N
Boyd	N	Isgar	N	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	N	Tupa	N
Dyer	Y	Jones	Y	Shaffer	N	Veiga	N
Entz	N	Keller	N	Spence	Y	Wiens	Y
Evans	Y	Kester	N	Takis	N	Williams	N
Gordon	N	Lamborn	Y	Tapia	N	Windels	N
Groff	N	May R.	Y	Taylor	Y	President	N
Grossman	N	McElhany	Y	Teck	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Veiga, the Report of the Committee of the Whole was adopted and, a majority of all members elected to the Senate having voted in the affirmative, the following action was taken:

Passed on Second Reading: HB06-1393, HB06-1400, HB06-1092 as amended, HB06-1411 as amended, HB06-1283 as amended, HB06-1336, HB06-1395 as amended, HB06-1384, HB06-1302 as amended, HB06-1396 as amended, HB06-1399 as amended, HB06-1405, HB06-1003 as amended, HB06-1343 as amended, HB06-1178, HB06-1322 as amended, HB06-1352 as amended.

Laid over until Friday, May 5: HB06-1407, SCR06-008.

COMMITTEE OF REFERENCE REPORTS

Trans- After consideration on the merits, the Committee recommends that **HB06-1404** be referred to the Committee on Appropriations with favorable recommendation.

Trans- After consideration on the merits, the Committee recommends that **HB06-1406** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

MESSAGE FROM THE HOUSE

May 4, 2006

Madame President:

The House has voted not to concur in the Senate amendments to HB06-1006 and requests that a conference committee be appointed. The Speaker has appointed Representatives Butcher, chairman, T Carroll, and Penry as House conferees on the First Conference Committee on HB06-1006. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB06-1337 and requests that a conference committee be appointed. The Speaker has appointed Representatives Butcher, chairman, Curry, and Penry as House conferees on the First Conference Committee on HB06-1337. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB06-1257 and requests that a conference committee be appointed. The Speaker has appointed Representatives Pommer, chairman, Green, and Hefley as House conferees on the First Conference Committee on HB06-1257. The bill is transmitted herewith.

The House has voted to concur in the Senate amendments to HB06-1344 and has repassed the bill as so amended.

MESSAGE FROM THE GOVERNOR

May 4, 2006

To the Honorable
Senate
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:

S.B. 06-068 – Concerning Additional Authority Of A Local Licensing Authority Over Alcohol Beverage Licenses.

Approved May 4, 2006 at 12:05 p.m.

S.B. 06-120 – Concerning The Requirement Of A Full Investigation Prior To The Amendment Of Licenses Issued By State Agencies.

Approved May 4, 2006 at 12:07 p.m.

S.B. 06-121 – Concerning Surrogate Decision-Makers For Health Care Benefits.

Approved May 4, 2006 at 12:09 p.m.

S.B. 06-144 – Concerning Health Insurance Benefits For Instructors At Institutions Of Higher Education.

Approved May 4, 2006 at 12:10 p.m.

S.B. 06-187 – Concerning Title 7 Of The Colorado Revised Statutes.

Approved May 4, 2006 at 12:14 p.m.

Sincerely,
(signed)
Bill Owens
Governor
Rec'd 5/4/06, 3:06 p.m.
Karen Goldman, Secretary of the Senate

May 4, 2006

The Honorable Colorado Senate
Sixty-Fifth General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I am returning to you Senate Bill 052, “Concerning City Open Space and Park Sales and Use Tax.” I vetoed this bill as of 11:50 a.m. today and this letter sets forth my reasons for doing so.

Senate Bill 052 would allow counties, upon voter approval, to raise the sales tax by one half of one percent above the current 6.9 percent limit. The money raised by this tax increase would go toward the acquisition and maintenance of open space, parks and recreational facilities.

I respect the conservation efforts this bill seeks to support. I also appreciate the efforts made to resolve my concerns with similar legislation last year. Nonetheless, I still believe that increased taxation is not the best approach to expanding open space.

During my two terms as Governor, I have considered open space a priority for our state and have worked hard to preserve Colorado’s great natural landscape. Since I took office, Great Outdoors Colorado has assisted local governments, land trusts, Colorado State Parks and the Colorado Division of Wildlife in preserving more than 400,000 acres of open space. The Division of Wildlife recently instituted the Habitat Stamp Program, which will provide an estimated \$2.3 million for habitat preservation.

As I stated in last year’s veto message for SB 174, it is not clear that the present sales tax authority is insufficient. Currently, there are 40 local government open-space programs throughout Colorado, most of which are financed through dedicated funding sources in their counties’ budgets. Many of these counties, including Arapahoe, Boulder, Jefferson and Douglas, are presently funding effective parks and open-space programs while continuing to operate under the current sales tax cap. These programs are in addition to the \$50 million the state spends annually on parks and open space.

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Further, I am concerned that county elections to raise the sales tax for this purpose could be held at odd times. If a proposal to raise taxes is referred to voters either by a resolution adopted by the county commission or by voter petition – and the next general election is more than 120 days away – then there could be a special election within the following 30 to 90 days. As we learned during the recent controversy surrounding the Aurora mental health district election, so-called “stealth” elections can be confusing and not always in the best interests of voters.

Finally, if local governments want to implement or expand open-space programs, other funding options should be exhausted before raising taxes on Colorado’s families. If existing budgets are inadequate to implement these programs, counties might consider reducing spending on other programs or services that are of lower priority. I am not convinced that taxation is the only remaining option for counties to expand funding for open space.

Accordingly, I have vetoed this bill.

Sincerely,
 (signed)
 Bill Owens
 Governor
 Rec'd 5/4/06, 3:06 p.m.
 Karen Goldman, Secretary of the Senate

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Tapia, Chairman, Williams, and Entz as Senate Conferees on the First Conference Committee on **HB06-1337**.

The President appointed Senators Keller, Chairman, Johnson, and Takis as Senate Conferees on the First Conference Committee on **HB06-1257**.

The President appointed Senators Tapia, Chairman, Williams, and Entz as Senate Conferees on the First Conference Committee on **HB06-1006**.

On motion of Senator Gordon, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

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

Senator Tochtrop moved that the Senate not concur in House amendments to **SB06-131**, as printed in House Journal, May 3, pages 1727-1728, and that a Conference Committee be appointed.

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

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Tochtrop, Chairman, Sandoval, and Traylor as Senate Conferees on the First Conference Committee on **SB06-131**.

On motion of Senator Gordon, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB06-1397, HB06-1410, HB06-1406 were made Special Orders at 7:27 p.m.

Committee of the Whole The hour of 7:27 p.m. having arrived, Senator Veiga moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Veiga was called to the Chair to act as Chairman.

SPECIAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB06-1397 by Representative(s) Solano, Merrifield, Hefley, Larson, Massey, Benefield, Todd; also Senator(s) Shaffer, Williams, Boyd, Windels, Bacon--Concerning the creation of a statewide system of early childhood councils, and making an appropriation therefor.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 3, pages 1215-1218 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 4, page 1240 and placed in members' bill files.)

Amendment No. 3(L.027), by Senator Shaffer.

Amend reengrossed bill, page 23, line 4, strike "THREE" and substitute "BUT NOT EXCEEDING FIVE".

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.

HB06-1410 by Representative(s) Plant, Benefield, Marshall, McCluskey, Knoedler, Sullivan, White; also Senator(s) Groff--Concerning creation of the health disparities grant program fund, and making an appropriation in connection therewith.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

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

Ordered revised and placed on the calendar for Third Reading and Final Passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Veiga, the Report of the Committee of the Whole was adopted and, a majority of all members elected to the Senate having voted in the affirmative, the following action was taken:

Passed on Second Reading: HB06-1397 as amended, HB06-1410, HB06-1406.

COMMITTEE OF REFERENCE REPORTS

**FIRST REPORT OF SECOND CONFERENCE COMMITTEE
ON HB06-1090**

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

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

Amend rerevised bill, page 4, strike lines 24 through 27.

Strike pages 5 and 6.

Page 7, strike lines 1 through 21.

Re-number succeeding sections accordingly.

Page 12, strike lines 13 through 27.

Page 13, strike lines 1 through 16.

Page 15, line 16, strike "DATE." and substitute "DATE THAT ARE BASED ON
SEXUAL OFFENSES AGAINST CHILDREN FOR WHICH THE APPLICABLE
STATUTE OF LIMITATIONS FOR CIVIL SUIT IN EFFECT PRIOR TO JULY 1, 2006,
HAS NOT YET RUN AS OF JULY 1, 2006.".

Page 25, line 3, strike "SERVICE" and substitute "ACCESS".

Page 26, strike lines 14 through 17 and substitute the following:

"Senate Bill 06-022 is enacted and becomes law and except that section
8 of this act shall not take effect if House Bill 06-1011 is enacted at the
Second Regular Session of the Sixty-fifth General Assembly and becomes
law.".

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

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

Respectfully submitted,

House Committee:
(signed)
Representative McGihon, Chair
Representative Green

Senate Committee:
(signed)
Senator Tupa, Chair
Senator Fitz-Gerald

On motion of Senator Gordon, and with a two-thirds majority of those elected to the
Senate having voted in the affirmative, the rules were suspended for Consideration of
Conference Committee Report -- HB06-1090.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

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

Senator Tupa moved for the adoption of the First Report of the Second Conference Committee on **HB06-1090**, as printed in Senate Journal, May 4, pages 1260-1261. The motion was **adopted** by the following roll call vote:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	N
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	N	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	N	Wiens	Y
Evans	N	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	N	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

YES	18	NO	17	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	N
Boyd	Y	Isgar	Y	Owen	N	Traylor	N
Brophy	N	Johnson	N	Sandoval	N	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	N	Keller	N	Spence	N	Wiens	N
Evans	N	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	N	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	N	Teck	Y		

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

REVERSAL OF VOTE ON HB06-1090

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

Having voted on the prevailing side, Senator Tupa moved for immediate reconsideration and reversal of the vote on **HB06-1090**. The roll call was taken with the following result:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Bacon	N	Hagedorn	N	Mitchell	Y	Tochtrop	Y
Boyd	N	Isgar	N	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	N
Dyer	Y	Jones	Y	Shaffer	N	Veiga	N
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	N	Takis	N	Williams	N
Gordon	N	Lamborn	Y	Tapia	Y	Windels	N
Groff	N	May R.	N	Taylor	N	President	N
Grossman	N	McElhany	Y	Teck	N		

TRIBUTES

Honoring:

- Andy Decoteau -- by Senator Isgar.
- Kevin Jenkins -- by Senator Isgar.
- Caitlin Corenblith -- by Senator Boyd.
- Laura Eckhardt -- by Senator Boyd.
- Brittany Jaramillo -- by Senator Boyd.
- Jennifer Hamlett -- by Senator Boyd.

Christina Junk -- by Senator Boyd. 1
 MiKayla Loske -- by Senator Boyd. 2
 Kate Voigt -- by Senator Boyd. 3
 Amanda Jones -- by Senator Kester. 4
 Dr. & Mrs. John U. Trefny -- by Senator Fitz-Gerald. 5

On motion of Senator Gordon, and with a majority of those elected to the Senate having 9
 voted in the affirmative, the balance of the calendar of May 4 was laid over until Friday, 10
 May 5, retaining its place on the calendar. 11

Consideration of Resolutions: SJR06-029, SJR06-022, HJR06-1016, SR06-010, 13
 SJR06-036, SJR06-040, SJR06-043, SJR06-045, SJR06-049, SR06-012, HJR06-1023, 14
 SJR06-051, SJR06-052, HJR06-1024, HJR06-1025, HJR06-1034, HJR06-1035, 15
 SJR06-054. 16

Consideration of Memorials: SJM06-001, HJM06-1002. 17

Consideration of House Amendments to Senate Bills: SB06-208, SB06-213. 18

Consideration of Governor's Appointments: 19

Members of the Read-To-Achieve Board. 20

Members of the Financial Services Board. 21

Members of the Colorado Banking Board. 22

Member of the Board of Trustees for Western State College of Colorado. 23

Executive Director of the Colorado Commission on Higher Education. 24

Member of the Colorado State Fair Authority Board of Commissioners. 25

Member of the CoverColorado Board of Directors. 26

Members of the Examining Board of Plumbers. 27

Members of the Colorado Tourism Office Board of Directors. 28

Members of the Colorado Limited Gaming Control Commission. 29

State Board of Equalization. 30

Member of the State Board of Stock Inspection Commissioners. 31

Members of the State Board of Nursing. 32

Members of the Air Quality Control Commission. 33

Members of the Colorado Children's Trust Fund Board. 34

Member of the Board of Trustees for Western State College of Colorado. 35

Member of the Colorado School of Mines, Board of Trustees. 36

Members of the Charter School Institute Board. 37

Members of the Board of Trustees for the University of Northern Colorado. 38

Members of the State Electrical Board. 39

Executive Director of the Department of Labor and Employment. 40

Board of Directors of Denver Metropolitan Major League Stadium District. 41

Consideration of Conference Committee Reports: SB06-209, SB06-051, SB06-094. 42

Conference Committees to Report: HB06-1121, HB06-1169, SB06-047, HB06-1314. 43

Request for Conference Committees: SB06-036. 44

On motion of Senator Gordon, the Senate adjourned until 9:00 a.m., Friday, May 5, 2006. 47

Approved: 49

Joan Fitz-Gerald 53
 President of the Senate 54

Attest: 57

Karen Goldman 61
 Secretary of the Senate 62

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