

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

108th Legislative Day Friday, April 28, 2006

		1
		2
		3
		4
		5
		6
		7
		8
		9
Prayer	By Senator Fitz-Gerald.	10
		11
Pledge	By Senator May.	12
		13
Call to Order	By the President at 9:00 a.m.	14
		15
		16
Roll Call	Present--20	17
	Absent--3; Boyd, Taylor, Wiens.	18
	Excused--12; Brophy, Dyer, Groff, Grossman, Keller, Lamborn, Owen, Tapia, Teck, Traylor, Veiga, Williams.	19
	Present later--Boyd, Brophy, Groff, Grossman, Keller, Lamborn, Owen, Tapia, Taylor, Teck, Traylor, Veiga, Wiens, Williams.	20
		21
		22
		23
Quorum	The President announced a quorum present.	24
		25
Reading of Journal	On motion of Senator Johnson, reading of the Journal of April 27, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.	26
		27
		28
		29
		30
	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 -- SJR06-029.	31
		32
		33
		34
		35
		36
		37
SJR06-029	by Senator(s) Gordon; --Concerning the ONE Campaign to alleviate poverty and global AIDS.	38
		39
		40
	Laid over until later in the day, April 28, retaining its place on the calendar.	41
		42
		43
		44
		45
		46
Education	The Committee on <u>Education</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	47
		48
		49
		50
		51
		52
		53
		54
		55
		56
		57
		58
Education	The Committee on <u>Education</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	59
		60
		61
		62
		63
		64
		65
		66
		67

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

MEMBER OF THE
CHARTER SCHOOL INSTITUTE BOARD

for terms expiring July 1, 2008:

Dean L. Titterington of Englewood, Colorado, to serve as a member with financial management expertise, and as a Republican, reappointed.

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR THE
UNIVERSITY OF NORTHERN COLORADO

for a term expiring June 30, 2007:

Carlotta LaNier of Englewood, Colorado, to fill the vacancy occasioned by the resignation of Marcy H. Benson of Denver, Colorado, appointed.

for terms expiring June 30, 2009:

Richard L. Monfort of Greeley, Colorado, reappointed;

Dr. Gil Carbajal of Fort Collins, Colorado, reappointed.

Appropriations After consideration on the merits, the Committee recommends that **SB06-230** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 21, before line 26, insert the following:

SECTION 4. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of registrations cash fund created in section 24-34-105 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the executive director's office, for legal services, for the fiscal year beginning July 1, 2006, the sum of twenty-eight thousand eight hundred seventy-four dollars (\$28,874), or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of registrations cash fund created in section 24-34-105 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the division of registrations, for the fiscal year beginning July 1, 2006, the sum of one hundred ninety-one thousand forty-one dollars (\$191,041) and 3.3 FTE, or so much thereof as may be necessary, for the implementation of this act.

(3) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2006, the sum of twenty-eight thousand eight hundred seventy-four dollars (\$28,874), and 0.2 FTE, or so much thereof as may be necessary, for the provision of legal services to the department of regulatory agencies related to the implementation of this act. Said sum shall be from cash funds exempt received from the department of regulatory agencies, executive director's office, out of the appropriation made in subsection (1) of this section.

(4) In addition to any other appropriation, there is hereby appropriated, to the department of public safety, for allocation to the

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

Colorado bureau of investigation, for processing of fingerprint-based criminal history checks required by this act, for the fiscal year beginning July 1, 2006, the sum of thirty-one thousand one hundred eighty-three dollars (\$31,183) and 0.3 FTE, or so much thereof as may be necessary, for the implementation of this act. Said sum shall be from fingerprint processing fees collected by the Colorado bureau of investigation.

(5) In addition to any other appropriation, there is hereby appropriated to the department of public safety, for the fiscal year beginning July 1, 2006, the sum of thirty-nine thousand six hundred dollars (\$39,600), or so much thereof as may be necessary, for pass through to the federal bureau of investigation for fingerprint-based national criminal history checks required by this act. Said sum shall be from cash funds exempt fingerprint processing fees collected by the Colorado bureau of investigation."

Renumber succeeding section accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **SB06-229** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB06-222** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB06-219** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 30, line 4, strike "25.5-1-123" and substitute "26-1-123, C.R.S.";

strike line 27.

Strike page 31.

Page 32, strike lines 1 through 26.

Page 430, after line 23, insert the following:

SECTION 123. Appropriation - adjustments to 2006 long bill. (1) In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, executive director's office, for county administration, the sum of eighteen million three hundred six thousand six hundred twenty-eight dollars (\$18,306,628), or so much thereof as may be necessary, for the implementation of this act. Of said sum, five million four hundred thirty-five thousand three hundred ninety-six dollars (\$5,435,396) shall be from the general fund and is subject to the "(M)" notation as defined in the general appropriation act, three million seven hundred seventeen thousand nine hundred eighteen dollars (\$3,717,918) shall be cash funds exempt from local funds, and nine million one hundred fifty-three thousand three hundred fourteen dollars (\$9,153,314) shall be from federal funds.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, to the executive director's office, for administrative case management payments to counties, the sum of one million five hundred ninety-three thousand six hundred twenty-four dollars (\$1,593,624). Of said sum, seven hundred ninety-six thousand eight hundred twelve dollars (\$796,812) shall be from the general fund and is subject to the "(M)" notation as defined in the general appropriation act, and seven hundred ninety-six thousand eight hundred twelve dollars (\$796,812) shall be from federal funds.

(3) For the implementation of this act, appropriations made in the

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

annual general appropriation act for the fiscal year beginning July 1, 2006, to the department of health care policy and financing shall be adjusted as follows:

(a) The appropriation to the executive director's office, for personal services, is increased by fifty-five thousand dollars (\$55,000) and 1.0 FTE. Of said sum, twenty-seven thousand five hundred dollars (\$27,500) shall be from the general fund and is subject to the "(M)" notation as defined in the general appropriation act, and twenty-seven thousand five hundred dollars (\$27,500) shall be from federal funds.

(b) The appropriation to the executive director's office, for operating expenses, is increased by one thousand dollars (\$1,000). Of said sum, five hundred dollars (\$500) shall be from the general fund and is subject to the "(M)" notation as defined in the general appropriation act, and five hundred dollars (\$500) shall be from federal funds.

(c) The appropriation to the other medical services division, for home care allowance, is decreased by ten million eight hundred eighty thousand four hundred eleven dollars (\$10,880,411). Of said sum, ten million three hundred thirty-six thousand three hundred ninety dollars (\$10,336,390) shall be from the general fund, and five hundred forty-four thousand twenty-one dollars (\$544,021) shall be cash funds exempt from local funds.

(d) The appropriation to the other medical services division, for adult foster care, is decreased by one hundred fifty-seven thousand four hundred sixty-nine dollars (\$157,469). Of said sum, one hundred forty-nine thousand five hundred ninety-six dollars (\$149,596) shall be from the general fund, and seven thousand eight hundred seventy-three dollars (\$7,873) shall be cash funds exempt from local funds.

(e) The appropriation to the department of human services - medicaid funded programs division, for the office of operations-medicaid funding, is decreased by twenty-six thousand nine hundred seventy-six dollars (\$26,976). Of said sum, thirteen thousand four hundred eighty-eight dollars (\$13,488) shall be from the general fund and is subject to the "(M)" notation as defined in the general appropriation act, and thirteen thousand four hundred eighty-eight dollars (\$13,488) shall be from federal funds.

(f) The appropriation to the department of human services - medicaid funded programs division, for county administration-medicaid funding, is decreased by fourteen million five hundred eighty-eight thousand seven hundred ten dollars (\$14,588,710). Of said sum, five million four hundred thirty-five thousand three hundred ninety-six dollars (\$5,435,396) shall be from the general fund and is subject to the "(M)" notation as defined in the general appropriation act, and nine million one hundred fifty-three thousand three hundred fourteen dollars (\$9,153,314) shall be from federal funds.

(g) The appropriation to the department of human services - medicaid funded programs division, for the division of child welfare-medicaid funding, for child welfare services, is decreased by five hundred eighty-eight thousand nine hundred forty-four dollars (\$588,944). Of said sum, two hundred ninety-four thousand four hundred seventy-two dollars (\$294,472) shall be from the general fund and is subject to the "(M)" notation as defined in the general appropriation act, and two hundred ninety-four thousand four hundred seventy-two dollars (\$294,472) shall be from federal funds.

(h) The appropriation to the department of human services - medicaid funded programs division, division of child welfare- medicaid funding, for family and children's programs, is decreased by one million four thousand six hundred eighty dollars (\$1,004,680). Of said sum, five hundred two thousand three hundred forty dollars (\$502,340) shall be from the general fund and is subject to the "(M)" notation as defined in the general appropriation act, and five hundred two thousand three hundred forty dollars (\$502,340) shall be from federal funds.

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

(i) The appropriation to the department of human services medicaid-funded programs division, services for people with developmental disabilities - medicaid funding, for regional centers, is decreased by twenty-nine thousand twenty-four dollars (\$29,024). Of said sum, fourteen thousand five hundred twelve dollars (\$14,512) shall be from the general fund and is subject to the "(M)" notation as defined in the general appropriation act, and fourteen thousand five hundred twelve dollars (\$14,512) shall be from federal funds.

(4) For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 2006, to the department of human services shall be adjusted as follows:

(a) The general fund appropriation to the executive director's office, special purpose, for the office of performance improvement, is decreased by twenty-nine thousand twenty-three dollars (\$29,023).

(b) The appropriation to the office of operations, administration, for personal services, is decreased by fifty-six thousand dollars (\$56,000) and 1.0 FTE. Of said sum, twenty-nine thousand twenty-four dollars (\$29,024) shall be from the general fund and is subject to the "(M)" notation as defined in the general appropriation act, and twenty-six thousand nine hundred seventy-six dollars (\$26,976) shall be cash funds exempt from the transfer of medicaid funding from the department of health care policy and financing.

(c) The cash funds exempt appropriation to the county administration division, for county administration, is decreased by eighteen million three hundred six thousand six hundred twenty-eight dollars (\$18,306,628). Said sum shall be from medicaid funds transferred from the department of health care policy and financing.

(d) The cash funds exempt appropriation to the division of child welfare, for child welfare services, is decreased by five hundred eighty-eight thousand nine hundred forty-four dollars (\$588,944). Said sum shall be from medicaid funds transferred from the department of health care policy and financing.

(e) The cash funds exempt appropriation to the division of child welfare, for family and children's programs, is decreased by one million four thousand six hundred eighty dollars (\$1,004,680). Said sum shall be from medicaid funds transferred from the department of health care policy and financing.

(f) The cash funds exempt appropriation to the services for people with disabilities division, developmental disability services, regional centers, for personal services, is decreased by twenty-nine thousand twenty-four dollars (\$29,024). Said sum shall be from medicaid funds transferred from the department of health care policy and financing.

(g) The general fund appropriation to the adult assistance programs division, for administration, is increased by fifty-eight thousand forty-seven dollars (\$58,047) and 1.0 FTE.

(h) The general fund appropriation to the adult assistance programs division, other grant programs, for home care allowance, is increased by ten million three hundred thirty-six thousand three hundred ninety dollars (\$10,336,390).

(i) The cash funds exempt appropriation to the adult assistance programs division, other grant programs, for home care allowance, is increased by five hundred forty-four thousand twenty-one dollars (\$544,021). Said sum shall be from local funds.

(j) The cash funds exempt appropriation to the adult assistance programs division, other grant programs, for home care allowance, is decreased by ten million eight hundred eighty thousand four hundred eleven dollars (\$10,880,411). Said sum shall be from funds transferred from the department of health care policy and financing.

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

(k) The general fund appropriation to the adult assistance programs division, other grant programs, for adult foster care, is increased by one hundred forty-nine thousand five hundred ninety-six dollars (\$149,596).

(l) The cash funds exempt appropriation to the adult assistance programs division, other grant programs, for adult foster care, is increased by seven thousand eight hundred seventy-three dollars (\$7,873). Said sum shall be from local funds.

(m) The cash funds exempt appropriation to the adult assistance programs division, other grant programs, for adult foster care, is decreased by one hundred fifty-seven thousand four hundred sixty-nine dollars (\$157,469). Said sum shall be from funds transferred from the department of health care policy and financing."

Renumber succeeding sections accordingly.

Page 1, line 103, strike "FINANCING." and substitute "FINANCING, AND MAKING AN APPROPRIATION THEREFOR."

Appropriations

After consideration on the merits, the Committee recommends that **SB06-214** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, after line 26, insert the following:

"**SECTION 2.** 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 4, line 1, strike "any moneys in the" and substitute "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";

strike lines 2 through 4.

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:

HB06-1379 by Representative(s) Garcia, Carroll T., Jahn, Todd; also Senator(s) Spence, Hagedorn-- Concerning a requirement for training to implement witness protection programs.

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

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

YES	34	NO	0	EXCUSED	1	ABSENT	0	
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y	1
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y	2
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y	3
Dyer	E	Jones	Y	Shaffer	Y	Veiga	Y	4
Entz	Y	Keller	Y	Spence	Y	Wiens	Y	5
Evans	Y	Kester	Y	Takis	Y	Williams	Y	6
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y	7
Groff	Y	May R.	Y	Taylor	Y	President	Y	8
Grossman	Y	McElhany	Y	Teck	Y			9

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

Co-sponsors added: Bacon, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Isgar, Jones, Kester, Mitchell, Sandoval, Shaffer, Taylor, Tochtrop, Traylor, Tupa, Veiga, Wiens, Williams and Windels.

HB06-1086 by Representative(s) Crane; also Senator(s) Johnson--Concerning the regulation of games of chance by the secretary of state, and making an appropriation therefor.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0	
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y	11
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y	12
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y	13
Dyer	E	Jones	Y	Shaffer	Y	Veiga	Y	14
Entz	Y	Keller	Y	Spence	Y	Wiens	Y	15
Evans	Y	Kester	Y	Takis	Y	Williams	Y	16
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y	17
Groff	Y	May R.	Y	Taylor	Y	President	Y	18
Grossman	Y	McElhany	Y	Teck	Y			19

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

HB06-1161 by Representative(s) Vigil, Massey; also Senator(s) Veiga--Concerning the regulation of mortgage brokers, and, in connection therewith, making an appropriation.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0	
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y	20
Boyd	Y	Isgar	Y	Owen	N	Traylor	N	21
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y	22
Dyer	E	Jones	N	Shaffer	Y	Veiga	Y	23
Entz	Y	Keller	Y	Spence	N	Wiens	N	24
Evans	N	Kester	Y	Takis	Y	Williams	Y	25
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y	26
Groff	Y	May R.	N	Taylor	N	President	Y	27
Grossman	Y	McElhany	N	Teck	Y			28

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

Co-sponsors added: Boyd, Fitz-Gerald, Isgar, Shaffer, Tochtrop and Williams.

HB06-1127 by Representative(s) Riesberg, Todd; also Senator(s) Williams--Concerning the regulation of athletic trainers, and making an appropriation in connection therewith.

A majority of those elected to the Senate having voted in the affirmative, Senator Williams was given permission to offer a Third Reading amendment.

Third Reading Amendment No. 1(L.028), by Senator Williams.

Amend revised bill, page 25, line 27, after "POLICY", insert "OR EQUIVALENT".

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

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

YES	26	NO	8	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	Y
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	E	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	N
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	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: Spence.

HB06-1293 by Representative(s) Hoppe; also Senator(s) Grossman--Concerning the fees assessed on the review of water plans to replace depletion caused by evaporation from exposure that are required for open mining of sedimentary stone particulates used in construction materials, and making an appropriation in connection therewith.

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

YES	33	NO	1	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	E	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	N	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**.

HB06-1124 by Representative(s) Hodge; also Senator(s) Owen--Concerning the adjudication of a rotational crop management contract, and making an appropriation in connection therewith.

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

YES	31	NO	3	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	E	Jones	Y	Shaffer	Y	Veiga	Y
Entz	N	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	N	Windels	Y
Groff	Y	May R.	Y	Taylor	N	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: Grossman, McElhany and Wiens.

HB06-1046 by Representative(s) Vigil, Coleman, White; also Senator(s) Hanna, Takis, Taylor--Concerning regulation of private occupational schools, and making an appropriation therefor.

The question being "Shall the bill 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	E	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 was declared **passed**.

Co-sponsors added: Jones, Spence, Tupa and Williams.

HB06-1383 by Representative(s) Jahn; also Senator(s) Owen--Concerning the regulation of insurers' market conduct by the commissioner of insurance.

The question being "Shall the bill 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	E	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 was declared **passed**.

HB06-1072 by Representative(s) Vigil; also Senator(s) Tapia--Concerning the issuance of special license plates honoring service in the armed forces of the United States, and, in connection therewith, authorizing family members of a person who has died serving in the United States armed forces to be issued a fallen service member special license plate, and making an appropriation in connection therewith.

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

YES	32	NO	2	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	E	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	N		

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

Co-sponsors added: Entz, Gordon, Hagedorn, Isgar, Johnson, Jones, Lamborn, Owen, Shaffer, Taylor, Tochtrop and Wiens.

HB06-1157 by Representative(s) Coleman, Buescher, Garcia, Marshall, Romanoff, Stengel, White; also Senator(s) May R., Williams--Concerning the security of communication and information resources in public agencies, and making an appropriation in connection therewith.

The question being "Shall the bill 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	E	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 was declared **passed**.

Co-sponsors added: Entz, Fitz-Gerald, Jones, Owen, Taylor and Teck.

HB06-1147 by Representative(s) Plant, Coleman, Curry, Larson, Pommer, White; also Senator(s) Johnson, Gordon, Groff, Grossman, Tochtrop, Windels--Concerning measures to promote energy efficiency, and making an appropriation in connection therewith.

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

YES	28	NO	6	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	E	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	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, Hagedorn, Keller, Shaffer, Tupa and Williams.

HB06-1294 by Representative(s) Decker; also Senator(s) Isgar--Concerning the issuance of a rebuilder's certificate of title for motor vehicles for the purposes of restoring such vehicles.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	N	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	E	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 was declared **passed**.

Co-sponsors added: Entz, May R., Taylor and Williams.

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

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

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

YES	30	NO	4	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	N	Tupa	Y
Dyer	E	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	N	Windels	Y
Groff	Y	May R.	N	Taylor	N	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, Boyd, Evans, Fitz-Gerald, Grossman, Isgar, Johnson, Jones, Shaffer, Teck, Wiens, Williams and Windels.

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

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

YES	32	NO	2	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	E	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	N	Teck	Y		

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

Co-sponsors added: Entz, Isgar, Shaffer, Spence, Traylor, Wiens, Williams and Windels.

HB06-1018 by Representative(s) Riesberg; also Senator(s) Hagedorn, Bacon--Concerning an increase in the funding to the older Coloradans cash fund from the receipts collected from the state sales and use tax, and making an appropriation therefor.

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

YES	26	NO	8	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	E	Jones	N	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	N
Evans	N	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	N	Teck	Y		

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

Co-sponsors added: Boyd, Keller, Shaffer, Tupa, Williams and Windels.

HB06-1381 by Representative(s) McFadyen, Berens, Riesberg; also Senator(s) Bacon, Windels--Concerning notification to the capital development committee of requests for proposals relating to private prisons.

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

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

YES	22	NO	12	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	N
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	E	Jones	N	Shaffer	Y	Veiga	Y
Entz	N	Keller	Y	Spence	N	Wiens	N
Evans	Y	Kester	N	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	Y		

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

Co-sponsors added: Fitz-Gerald, Isgar, Shaffer and Tupa.

HB06-1277 by Representative(s) Clapp; also Senator(s) Sandoval--Concerning the treatment of persons with a mental illness, and making an appropriation in connection therewith.

The question being "Shall the bill 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	E	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 was declared **passed**.

Co-sponsors added: Boyd, Groff, Isgar, Keller, Kester, Shaffer, Tochtrop, Williams and Windels.

HB06-1314 by Representative(s) Cerbo; also Senator(s) Tochtrop--Concerning a prohibition against certain employer communications to an employee.

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

YES	18	NO	16	EXCUSED	1	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	E	Jones	N	Shaffer	Y	Veiga	Y
Entz	N	Keller	Y	Spence	N	Wiens	N
Evans	N	Kester	N	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, Fitz-Gerald and Windels.

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

The question being "Shall the bill 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	E	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 was declared **passed**.

Co-sponsors added: Fitz-Gerald, Tupa and Wiens.

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

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

YES	20	NO	14	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	Y
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	E	Jones	N	Shaffer	Y	Veiga	Y
Entz	Y	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	N	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, Fitz-Gerald, Shaffer, Tupa and Williams.

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 House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

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

Senator Windels moved that the Senate not concur in House amendments to **SB06-209**, as printed in House Journal, April 20, page 1349 and April 21, pages 1399-1400, 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**.

The President appointed Senators Windels, Chairman, Bacon, and Spence as Senate Conferees on the First Conference Committee on **SB06-209**.

SB06-047 by Senator(s) Hanna, Hagedorn, Keller, Shaffer; also Representative(s) Riesberg, Boyd, Green, McCluskey--Concerning the provision of health care services by local governmental entities, and, in connection therewith, allowing such districts to be created in any part of the state authorizing such districts to levy a sales tax and authorizing counties to impose a sales tax for the purpose of providing health care services.

Senator Hagedorn moved that the Senate not concur in House amendments to **SB06-047**, as printed in House Journal, April 24, pages 1430-1431, 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**.

The President appointed Senators Hagedorn, Chairman, Takis, and Johnson as Senate Conferees on the First Conference Committee on **SB06-047**.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

SB06-047 by Senator(s) Hanna, Hagedorn, Keller, Shaffer; also Representative(s) Riesberg, Boyd, Green, McCluskey--Concerning the provision of health care services by local governmental entities, and, in connection therewith, allowing such districts to be created in any part of the state authorizing such districts to levy a sales tax and authorizing counties to impose a sales tax for the purpose of providing health care services.

Senator Hagedorn moved that the Senate Conferees on the First Conference Committee on **SB06-047** 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 majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Conference Committee Reports.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

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

Senator Windels moved for the adoption of the First Report of the First Conference Committee on **HB06-1288**, as printed in Senate Journal, April 14, page 861. The motion 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	Y	Sandoval	Y	Tupa	Y
Dyer	E	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	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	E	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**.

HB06-1209 by Representative(s) Witwer, Carroll T., Crane, Harvey, Hefley, Jahn, Kerr, King, Marshall, Penry, Stafford; also Senator(s) Mitchell, Grossman--Concerning the voluntary contribution designation benefiting the Colorado special olympics fund that appears on the state

individual income tax return forms, and, in connection therewith, extending the period for the contribution designation.

Senator Mitchell moved for the adoption of the First Report of the First Conference Committee on **HB06-1209**, as printed in Senate Journal, April 14, pages 875-876. The motion was **adopted** by the following roll call vote:

YES	33	NO	1	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	N
Dyer	E	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	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	E	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**.

On motion of Senator Gordon, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB06-237, SB06-228, SB06-234, SB06-236, SB06-214, SB06-219, SB06-222, SB06-229, SB06-230, SB06-169, SB06-227 were made Special Orders at 10:45 a.m.

Committee of the Whole The hour of 10:45 a.m. having arrived, Senator Shaffer moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Shaffer 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:

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

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, April 27, page 1077 and placed in members' bill files.)

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

SB06-228 by Senator(s) Boyd, Mitchell, Fitz-Gerald, Groff; also Representative(s) May M., Carroll T.--Concerning reasonable costs related to a coordinated election.

Amendment No. 1(L.001), by Senator Boyd.

Amend printed bill, page 1, line 101, after "**CONCERNING**", insert "**THE**

ALLOCATION OF REVENUE RECEIVED BY THE SCIENTIFIC AND CULTURAL FACILITIES DISTRICT TO PAY THE";

line 102, strike "ELECTION." and substitute "ELECTION HELD ON BEHALF OF THE DISTRICT."

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

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

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, April 27, pages 1056-1057 and placed in members' bill files.)

As amended, ordered engrossed 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.)

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

Amendment No. 1, Agriculture, Natural Resources and Energy Committee Amendment. (Printed in Senate Journal, April 27, page 1078 and placed in members' bill files.)

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

SB06-214 by Senator(s) Gordon; also Representative(s) Madden--Concerning grants to conduct research on economic opportunities created by efforts to address issues related to climate change, and making an appropriation in connection therewith.

Amendment No. 1, Appropriations Committee Amendment. (Printed in Senate Journal, April 28, page 1090 and placed in members' bill files.)

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

SB06-219 by Senator(s) Keller; also Representative(s) Jahn--Concerning an administrative reorganization of programs administered by the state department of health care policy and financing.

Amendment No. 1, Health and Human Services Committee Amendment. (Printed in Senate Journal, April 21, pages 995-999 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment. (Printed in Senate Journal, April 28, pages 1087-1090 and placed in members' bill files.)

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

SB06-230 by Senator(s) Boyd; also Representative(s) Benefield--Concerning the regulation of wholesalers of prescription drugs, and making an appropriation therefor.

Amendment No. 1, Business, Labor, and Technology Committee Amendment. (Printed in Senate Journal, April 25, pages 1037-1039 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment. (Printed in Senate Journal, April 28, pages 1086-1087 and placed in members' bill files.)

Amendment No. 3(L.011), by Senator Boyd.

Amend printed bill, page 3, strike lines 11 and 12 and substitute the following:

"SUCH DRUGS TO A GROUP OF CHAIN PHARMACIES OR OTHER CHAIN PHARMACY WAREHOUSES THAT ARE UNDER COMMON OWNERSHIP OR

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

CONTROL.";

line 19, after "PHARMACY", insert "OR CHAIN PHARMACY WAREHOUSE";

line 20, after "PHARMACY", insert "OR CHAIN PHARMACY WAREHOUSE".

Page 4, line 11, strike "OR" and substitute "A WHOLESALER TO A CHAIN PHARMACY WAREHOUSE TO THEIR INTRACOMPANY PHARMACIES TO A PATIENT; A CHAIN PHARMACY WAREHOUSE TO THEIR INTRACOMPANY PHARMACIES TO A PATIENT, A PHARMACY TO A PATIENT; OR";

line 24, strike "PHARMACY TO A PATIENT OR" and substitute "PHARMACY, PHYSICIAN, OR HOSPITAL; OR";

strike lines 25 and 26.

Page 5, line 14, strike "COMPONENTS" and substitute "COMPONENTS, INCLUDING FACTOR,".

Page 6, line 25, strike "PART 8, "WHOLESALE" and substitute "PART 8, "WHOLESALE DISTRIBUTION" MEANS DISTRIBUTION OF PRESCRIPTION DRUGS TO PERSONS OR ENTITIES OTHER THAN A CONSUMER OR PATIENT. "WHOLESALE";

line 27, after "SALES", insert "OR TRANSFERS".

Page 7, line 2, strike "AND" and substitute "OR";

line 3, strike "A CORPORATE" and substitute "AN".

Page 8, after line 13, insert the following:

"(3) THE BOARD SHALL HAVE THE AUTHORITY TO EXEMPT A PHARMACY BENEFITS ENTITY FROM THE REQUIREMENTS OF THIS SECTION, BUT ONLY WITH REGARD TO CIRCUMSTANCES WHERE SUCH ENTITY'S PURCHASES ARE SOLELY FROM A MANUFACTURER OR A WHOLESALE DISTRIBUTOR IN THE NORMAL DISTRIBUTION CHANNEL, AND ANY SUBSEQUENT SALES OR FURTHER DISTRIBUTIONS ARE TO ENTITIES OTHER THAN A WHOLESALER WITHIN THE NORMAL DISTRIBUTION CHANNEL. FOR THE PURPOSES OF THIS SUBSECTION (3), "PHARMACY BENEFITS ENTITY" MEANS AN ENTITY THAT ASSISTS IN THE ADMINISTRATION OF PHARMACY BENEFITS UNDER CONTRACTS WITH INSURERS OR TO A COMPANY UNDER COMMON OWNERSHIP WITH THAT ENTITY."

Page 12, line 21, after the period, add "THE BOND REQUIREMENT SHALL BE WAIVED IF THE WHOLESALE DISTRIBUTOR HAS IN PLACE A COMPARABLE BOND OR OTHER EQUIVALENT MEANS OF SECURITY FOR THE PURPOSE OF LICENSURE IN ANOTHER STATE WHERE THE WHOLESALE DISTRIBUTOR POSSESSES A VALID WHOLESALE DISTRIBUTOR LICENSE IN GOOD STANDING. THE SURETY BOND REQUIREMENT SHALL BE WAIVED IF THE WHOLESALE DISTRIBUTOR IS:

- (a) A CHAIN PHARMACY WAREHOUSE;
- (b) OWNED OR CONTROLLED BY A PUBLICLY HELD COMPANY; OR
- (c) UNDER COMMON OWNERSHIP OR CONTROL WITH AN ENTITY THAT HAS BEEN LICENSED BY THE BOARD.";

strike lines 24 through 26.

Renumber succeeding subsection accordingly.

Page 13, line 27, strike "REQUIREMENT" and substitute "REQUIREMENTS".

Page 15, line 14, after the period, add "THIS SUBSECTION (5) SHALL NOT APPLY TO STANDARD ORDERING AND PURCHASING BUSINESS PRACTICES BETWEEN A CHAIN PHARMACY WAREHOUSE, A WHOLESALER, AND A MANUFACTURER.";

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

line 19, after "EACH", insert "WHOLESALE DISTRIBUTION OF A";

line 20, strike "LEAVES" and substitute "OCCURS OUTSIDE".

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

SB06-169 by Senator(s) Tochtrop; --Concerning urban renewal, and, in connection therewith, eliminating blight as a condition permitting the establishment of an urban renewal authority or the approval of an urban renewal plan, restricting urban renewal activity to slum areas, and placing restrictions on the ability of an urban renewal authority to condemn property through eminent domain.

Laid over until May 11, 2006.

SB06-227 by Senator(s) Tochtrop; also Representative(s) Solano, Frangas, Madden, Marshall, Pommer--Concerning reporting requirements regarding the payment of health care costs.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, pages 1050-1051 and placed in members' bill files.)

As amended, ordered engrossed 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.)

SB06-222 by Senator(s) Grossman; --Concerning changes to threshold loss amounts in certain crimes.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 25, page 1028 and placed in members' bill files.)

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

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

Amendment No. 1(L.005), by Senator FitzGerald.

Amend printed bill, page 2, line 14, strike "bringing high energy physics projects to the";

line 15, strike "Henderson mine near Empire," and substitute "supporting science and engineering opportunities in";

line 20, after "mine", insert "near Empire, Colorado,".

Page 5, line 7, strike "(IV)" and substitute "(III)".

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Senator Teck moved to amend the Report of the Committee of the Whole to show that the following Teck floor amendment, (L.002) to SB 06-234, did pass.

Amend printed bill, page 3, line 18, strike "SUBCONTRACTING PLANS, AND" and substitute "AND SUBCONTRACTING PLANS.";

strike line 19.

Page 4, strike lines 23 through 27.

Page 5, strike lines 17 and 18.

Renumber succeeding subparagraphs accordingly.

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

YES	16	NO	18	EXCUSED	1	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	E	Jones	Y	Shaffer	N	Veiga	N
Entz	Y	Keller	N	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	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	Y		

SB06-227 by Senator(s) Tochtrop; also Representative(s) Solano, Frangas, Madden, Marshall, Pommer--Concerning reporting requirements regarding the payment of health care costs.

Senator Johnson moved to amend the Report of the Committee of the Whole to show that the following Johnson floor amendment, (L.001) to SB 06-227, did pass.

Amend printed bill, page 2, line 15, strike "wages; except that" and substitute "wages.".

Page 3, strike lines 1 through 3.

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

YES	20	NO	14	EXCUSED	1	ABSENT	0
Bacon	N	Hagedorn	Y	Mitchell	Y	Tochtrop	N
Boyd	N	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	N
Dyer	E	Jones	Y	Shaffer	N	Veiga	N
Entz	Y	Keller	N	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	N	Williams	N
Gordon	N	Lamborn	Y	Tapia	N	Windels	N
Groff	Y	May R.	Y	Taylor	Y	President	N
Grossman	N	McElhany	Y	Teck	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Shaffer, 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: SB06-237 as amended, SB06-228 as amended, SB06-234 as amended, SB06-236 as amended, SB06-214 as amended, SB06-219 as amended, SB06-230 amended, SB06-227 as amended, SB06-222 as amended, SB06-229 as amended.

Laid over until May 11, 2006: SB06-169.

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the Committee recommends that **HB06-1363** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 10, line 3, strike "SURCHARGE." and substitute "SURCHARGE; EXCEPT THAT THE COURT SHALL WAIVE THE SURCHARGE REQUIRED BY THIS SECTION IF THE COURT DETERMINES THE

DEFENDANT'S ANNUAL INCOME DOES NOT EXCEED ONE HUNDRED FIFTY PERCENT OF THE FEDERAL POVERTY LEVEL."

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1362** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1326** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1311** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1310** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the reengrossed bill, page 4, line 5, strike "annually" and substitute "annually";

line 6, strike "state:" and substitute "state IN THE PRECEDING FISCAL YEAR:".

Page 9, line 11, before "(3)", insert "(1) and" and strike "is" and substitute "are";

strike lines 14 and 15 and substitute the following:

"24-22-115. Tobacco litigation settlement cash fund - creation.

(1) There is hereby created in the state treasury the tobacco litigation settlement cash fund. The cash fund shall consist of all moneys transmitted to the state treasurer in accordance with the terms of the master settlement agreement, the smokeless tobacco master settlement agreement, and the consent decree approved and entered by the court in the case denominated *State of Colorado, ex rel. Gale A. Norton, Attorney General v. R.J. Reynolds Tobacco Co.; American Tobacco Co., Inc.; Brown & Williamson Tobacco Corp.; Liggett & Myers, Inc.; Lorillard Tobacco Co., Inc.; Philip Morris, Inc.; United States Tobacco Co.; B.A.T. Industries, P.L.C.; The Council For Tobacco Research--U.S.A., Inc.; and Tobacco Institute, Inc.*, Case No. 97 CV 3432, in the district court for the city and county of Denver other than moneys credited to the tobacco litigation settlement trust fund pursuant to section 24-22-115.5. Except as provided in subsection (2) of this section, all interest derived from the deposit and investment of moneys in the cash fund shall be credited to the cash fund; except that, beginning with the fiscal year 2001-02, and each fiscal year thereafter, all interest derived from the deposit and investment of moneys in the cash fund shall be credited to the breast and cervical cancer prevention and treatment fund created pursuant to section 26-4-532, C.R.S. Except as provided in subsection (2) of this section, all moneys in the cash fund shall be subject to appropriation by the general assembly for such purposes as may be authorized by law in accordance with the terms of the settlement agreements and the consent decree. Except as provided in subsection (2) of this section, at the end of the 2004-05 fiscal year and at the end of each succeeding fiscal year, but prior to the making of any transfer of moneys from the cash fund to the general fund at the end of the fiscal year as required by this subsection (1), an amount needed, up to one million dollars, to pay the state's share of the annual funding required by the "Home- and Community-based Services for Children with Autism Act", subpart 7 of part 6 of article 4 of title 26, C.R.S., shall be transferred from the cash fund to the Colorado autism treatment fund created pursuant to section 26-4-695, C.R.S. Except as provided in subsection (2) of this section, at the end of any fiscal year commencing on or after July 1, 2004, all unexpended and unencumbered moneys IN THE CASH FUND, and all moneys IN THE CASH FUND not appropriated for the following fiscal year, in the cash fund AND ALL MONEYS IN THE CASH

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

FUND NOT REQUIRED FOR TRANSFERS PURSUANT TO SECTION 24-75-1104.5 (1) IN THE FOLLOWING FISCAL YEAR shall be transferred to the general fund.

(3) Notwithstanding any other provision of this section and except as".

Page 11, line 10, strike "annually" and substitute "~~annually~~";

line 11, strike "agreement." and substitute "agreement FOR THE PRECEDING FISCAL YEAR."

Page 17, after line 18, insert the following:

SECTION 12. 27-10.3-106 (2) (b), Colorado Revised Statutes, is amended to read:

27-10.3-106. Funding - rules. (2) (b) Pursuant to section 24-75-1104.5 (1) (k), C.R.S., beginning in the 2004-05 fiscal year, and for each fiscal year thereafter so long as the state receives moneys pursuant to the master settlement agreement, the general assembly shall appropriate to the state department to fund the remaining portion of services not covered by private insurance, federal medicaid funding, or the family's share, as described in paragraph (a) of this subsection (2), three hundred thousand dollars from the moneys ~~annually~~ received by the state in accordance with the master settlement agreement FOR THE PRECEDING FISCAL YEAR. The general assembly shall appropriate the amount specified in this paragraph (b) from moneys credited to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S.

SECTION 13. 28-5-709 (3) (b) (I), Colorado Revised Statutes, as amended by Senate Bill 06-126, enacted at the Second Regular Session of the Sixty-fifth General Assembly, is amended to read:

28-5-709. Colorado state veterans trust fund - created - report - repeal. (3) (b) (I) Notwithstanding the provisions of paragraph (a) of this subsection (3):

(A) For the 2003-04 through 2006-07 fiscal years, twenty-five percent of the amount of annual ~~appropriations~~ TRANSFERS made pursuant to subsection (2) of this section shall be credited to the trust fund and retained as principal in the trust fund, and seventy-five percent of the amount of annual ~~appropriations~~ TRANSFERS made pursuant to subsection (2) of this section and one hundred percent of any interest earned on the principal in the trust fund shall be subject to annual appropriation by the general assembly and may be allocated by the board for the purposes outlined in subsection (1) of this section.

(B) For the 2007-08 fiscal year, thirty-five percent of the amount of THE annual ~~appropriations~~ TRANSFER made pursuant to subsection (2) of this section shall be credited to the trust fund and retained as principal in the trust fund, and sixty-five percent of the amount of THE annual ~~appropriations~~ TRANSFER made pursuant to subsection (2) of this section and one hundred percent of any interest earned on the principal in the trust fund shall be subject to annual appropriation by the general assembly and may be allocated by the board for the purposes outlined in subsection (1) of this section.

(C) For the 2008-09 fiscal year, forty-five percent of the amount of THE annual ~~appropriations~~ TRANSFER made pursuant to subsection (2) of this section shall be credited to the trust fund and retained as principal in the trust fund, and fifty-five percent of the amount of THE annual ~~appropriations~~ TRANSFER made pursuant to subsection (2) of this section and one hundred percent of any interest earned on the principal in the trust fund shall be subject to annual appropriation by the general assembly and may be allocated by the board for the purposes outlined in subsection (1) of this section.

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

(D) For the 2009-10 fiscal year, fifty-five percent of the amount of THE annual ~~appropriations~~ TRANSFER made pursuant to subsection (2) of this section shall be credited to the trust fund and retained as principal in the trust fund, and forty-five percent of the amount of THE annual ~~appropriations~~ TRANSFER made pursuant to subsection (2) of this section and one hundred percent of any interest earned on the principal in the trust fund shall be subject to annual appropriation by the general assembly and may be allocated by the board for the purposes outlined in subsection (1) of this section.

(E) For the 2010-11 fiscal year, sixty-five percent of the amount of THE annual ~~appropriations~~ TRANSFER made pursuant to subsection (2) of this section shall be credited to the trust fund and retained as principal in the trust fund, and thirty-five percent of the amount of THE annual ~~appropriations~~ TRANSFER made pursuant to subsection (2) of this section and one hundred percent of any interest earned on the principal in the trust fund shall be subject to annual appropriation by the general assembly and may be allocated by the board for the purposes outlined in subsection (1) of this section.

SECTION 14. 25-4-1415 (2), Colorado Revised Statutes, as enacted by House Bill 06-1054, enacted at the Second Regular Session of the Sixty-fifth General Assembly, is amended to read:

25-4-1415. Cash fund - administration - limitation.
 (2) Pursuant to section 24-75-1104.5 (1) (l), C.R.S., beginning in the 2006-07 fiscal year and in each fiscal year thereafter so long as the state receives moneys pursuant to the master settlement agreement, the ~~general assembly shall appropriate~~ STATE TREASURER SHALL ANNUALLY TRANSFER to the fund two percent, not to exceed two million dollars in any fiscal year, of the total amount of the moneys ~~annually~~ received by the state pursuant to the master settlement agreement, not including attorney fees and costs, during the preceding fiscal year. The ~~general assembly shall appropriate~~ STATE TREASURER SHALL TRANSFER the amount specified in this subsection (2) from moneys credited to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S.

SECTION 15. 24-75-1104.5 (1) (l), Colorado Revised Statutes, as enacted by House Bill 06-1054, enacted at the Second Regular Session of the Sixty-fifth General Assembly, is amended to read:

24-75-1104.5. Use of settlement moneys - programs. (1) For the 2004-05 fiscal year and for each fiscal year thereafter, the following programs, services, or funds shall receive appropriations in the specified amounts from the settlement moneys ~~annually~~ received by the state IN THE PRECEDING FISCAL YEAR:

(l) The Colorado HIV and AIDS prevention grant program created in section 25-4-1413, C.R.S., shall receive two percent of the total amount of settlement moneys annually received by the state, not to exceed two million dollars in any fiscal year, AS PROVIDED IN SECTION 25-4-1415 (2), C.R.S."

Renumber succeeding sections accordingly.

Page 21, after line 15, insert the following:

"SECTION 17. Effective date. (1) This act shall take effect upon passage; except that:

(a) Section 13 of this act shall take effect only if Senate Bill 06-126 is enacted at the Second Regular Session of the Sixty-fifth General Assembly and becomes law; and

(b) Sections 14 and 15 of this act shall take effect only if House Bill 06-1054 is enacted at the Second Regular Session of the Sixty-fifth General Assembly and becomes law."

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

Renumber succeeding section accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1304** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 6, line 15, in the ITEM & SUBTOTAL column, strike "3,977,193" and substitute "3,792,109" and, in the GENERAL FUND column, strike "228,272^c" and substitute "43,188^c";

line 23, in the ITEM & SUBTOTAL column, strike "50,699,073" and substitute "50,513,989".

Page 7, line 11, in the TOTAL column, strike "184,824,261" and substitute "184,639,177";

line 15, in the TOTAL column, strike "\$220,124,950" and substitute "\$219,939,866" and, in the GENERAL FUND column, strike "\$5,084,631^a" and substitute "\$4,899,547^a";

line 17, strike "\$228,272" and substitute "\$43,188".

Page 8, line 3, strike the second "for" and substitute "to";

line 7, strike "Section" and substitute "section".

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1270** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1257** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Transportation Committee Report, dated April 20, 2006, page 1, line 2, after "Statutes," insert "as amended by House Bill 06-1074, enacted at the Second Regular Session of the Sixty-fifth General Assembly,";

strike lines 4 through 21 and substitute the following:

"23-1-106.5. Duties and powers of the commission with regard to advanced technology - fund created. (9) (b) The commission shall expend moneys in the advanced technology fund to finance research, development, and technology transfer with regard to waste diversion and recycling strategies or environmental alternatives by providing research funding and technology transfer capital to individuals or public or private entities seeking to develop or implement waste diversion or recycling projects for materials or products of any kind, ~~including, without limitation,~~ strategies pertaining to waste tires, INCLUDING THE USE OF WASTE TIRES FOR NOISE MITIGATION ALONG STATE HIGHWAYS, or for environmental, research, development, and technology transfer programs in the state for materials and products of any kind. The commission shall adopt a policy for the expenditure of such moneys, which shall contain priorities and the criteria for providing research funding and technology transfer."

Page 2, strike lines 3 through 5 and substitute the following:

"Page 6, line 1, strike "THE MONEYS IN THE" and substitute "AVAILABLE MONEYS, INCLUDING MONEYS PROVIDED BY LOCAL GOVERNMENTS. FOR CONSTRUCTION OF NOISE MITIGATION MEASURES USING WASTE TIRES, THE DEPARTMENT MAY USE ANY MONEYS DISTRIBUTED TO THE DEPARTMENT BY THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS PURSUANT TO SECTION 24-32-114 (1) (b), C.R.S.";"

line 8, strike "MONEYS TRANSFERRED FROM THE ADVANCED" and

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

substitute "MONEYS";";

strike lines 9 and 10;

line 11, strike "22 and substitute the following:" and substitute "26.";

strike line 12;

strike lines 14 through 18.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1171** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1153** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1151** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1149** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1058** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1057** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 5, strike lines 7 through 12.

Renumber succeeding sections accordingly.

Page 1, line 101, strike "ANIMALS, AND MAKING AN" and substitute "ANIMALS.";

strike line 102.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1045** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1017** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1011** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1004** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1001** be referred to the Committee of the Whole with favorable recommendation.

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

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1145** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Judiciary Committee Report, dated April 24, 2006, page 2, after line 12, insert the following:

"Page 12, line 4, after the period, add "ANY STATE OR LOCAL AGENCY OR ORGANIZATION THAT IS REPRESENTED ON THE TASK FORCE MAY PROVIDE STAFF ASSISTANCE TO THE TASK FORCE, SUBJECT TO THE DISCRETION OF THE CHAIR. ANY STAFF ASSISTANCE PROVIDED TO THE TASK FORCE PURSUANT TO THIS SUBSECTION (5) SHALL BE WITHOUT COMPENSATION."";

line 13 of the committee report, strike "Page 12,";

after line 21 of the committee report, insert the following:

"Page 13, strike lines 9 and 10 and substitute the following:

"(7) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (7), MEMBERS OF THE TASK FORCE SHALL SERVE WITHOUT COMPENSATION.

(b) NOTWITHSTANDING THE PROVISIONS OF SECTION 2-2-307, C.R.S., LEGISLATIVE MEMBERS OF THE TASK FORCE MAY RECEIVE PAYMENT OF PER DIEM AND REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES AUTHORIZED PURSUANT TO SAID SECTION AND ANY OTHER DIRECT OR INDIRECT COSTS ASSOCIATED WITH THE DUTIES OF THE LEGISLATIVE MEMBERS OF THE TASK FORCE SET FORTH IN THIS ARTICLE ONLY FROM MONEYS APPROPRIATED FROM THE METHAMPHETAMINE ABUSE PREVENTION, INTERVENTION, AND TREATMENT CASH FUND, CREATED IN SECTION 18-18.5-105."";

strike line 22 of the committee report and substitute the following:

"strike line 11 and substitute the following:

"18-18.5-104. Task force funding. (1) THE";

line 24 of the committee report, strike ""(b)" and substitute ""(2)";

line 25 of the committee report, strike "PARAGRAPH (a) OF THIS";

line 26 of the committee report, after "SUBSECTION (1)", insert "OF THIS SECTION".

Page 3 of the committee report, line 2, strike ""(c)." and substitute ""(3)";

after line 2 of the committee report, insert the following:

"strike lines 23 through 27.

Page 14, strike lines 1 through 12";

line 3 of the committee report, strike "Page 14,";

strike lines 5 through 7 of the committee report and substitute the following:

"Page 15, strike lines 12 through 16 and substitute the following:

"(2) COMPENSATION AS PROVIDED IN SECTION 18-18.5-103 (7) (b) FOR LEGISLATIVE MEMBERS OF THE TASK FORCE SHALL BE APPROVED BY";

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

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

"Page 22, line 5, strike "2007, the sum of twenty thousand one hundred" and substitute "2006, the sum of three thousand eight hundred sixteen dollars (\$3,816),";

line 6, strike "fifty-seven dollars (\$20,157) and 0.4 FTE, ".".

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1312** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 5, line 23, strike "thirty-six thousand dollars (\$36,000)" and substitute "seventy-two thousand dollars (\$72,000)".

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1331** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Strike the Business, Labor, and Technology Committee Report, dated April 18, 2006.

Amend reengrossed bill, page 3, line 2, strike "Title" and substitute "Article 25 of title";

line 3, strike "ARTICLE" and substitute "PART";

strike lines 4 and 5 and substitute the following:

**"PART 4
LANDSCAPE ARCHITECTS";**

line 6, strike "**12-71-101.**" and substitute "**12-25-401.**" and strike "ARTICLE" and substitute "PART 4";

line 9, strike "**12-71-102.**" and substitute "**12-25-402.**".

Page 4, line 2, strike "**12-71-103.**" and substitute "**12-25-403.**" and strike "ARTICLE," and substitute "PART 4,";

strike lines 4 and 5 and substitute the following:

"(1) "BOARD" MEANS THE STATE BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS, AND LANDSCAPE ARCHITECTS, CREATED IN SECTION 12-25-106."
Page 5, line 7, strike "12-71-116." and substitute "12-25-417.";

line 17, strike "**12-71-104.**" and substitute "**12-25-404.**";

line 21, strike "12-71-115," and substitute "12-25-416,";

strike lines 24 through 27.

Strike page 6.

Page 7, strike lines 1 through 15 and substitute the following:

"12-25-405. Board - composition - appointments - terms.
(1) TO BE ELIGIBLE FOR MEMBERSHIP ON THE BOARD, A LANDSCAPE ARCHITECT SHALL:

(a) BE A UNITED STATES CITIZEN AND A RESIDENT OF COLORADO FOR AT LEAST ONE YEAR;

(b) BE A LICENSED LANDSCAPE ARCHITECT IN THE STATE OF COLORADO; AND

(c) HAVE PRACTICED LANDSCAPE ARCHITECTURE FOR AT LEAST

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

THREE YEARS PRIOR TO THE APPOINTMENT.

(2) IN MAKING THE APPOINTMENT OF A LANDSCAPE ARCHITECT TO THE BOARD, THE GOVERNOR SHALL SEEK TO APPOINT THE MOST HIGHLY QUALIFIED MEMBER OF THE PROFESSION WILLING TO SERVE ON THE BOARD. APPOINTMENTS TO AND REMOVALS FROM THE BOARD SHALL BE MADE IN ACCORDANCE WITH SECTION 12-25-106 (5).";

line 16, strike "12-71-106." and substitute "12-25-406.";

line 19, strike "ARTICLE;" and substitute "PART 4;"

line 21, strike "ARTICLE;" and substitute "PART 4;"

Page 8, line 4, strike "ARTICLE;" and substitute "PART 4;"

line 8, strike "12-71-112 OR 12-71-113." and substitute "12-25-413 OR 12-25-414.";

line 10, strike "12-71-110." and substitute "12-25-410.";

line 11, strike "12-71-107." and substitute "12-25-407.";

line 12, strike "12-71-110" and substitute "12-25-410";

line 22, strike "ARTICLE." and substitute "PART 4.";

line 23, strike "12-71-108." and substitute "12-25-408.".

Page 9, line 2, strike "ARTICLE," and substitute "PART 4,";

line 5, strike "12-71-109." and substitute "12-25-409.";

line 9, strike "ARTICLE" and substitute "PART 4";

line 12, strike "ARTICLE." and substitute "PART 4.";

line 13, strike "ARTICLE," and substitute "PART 4,";

line 15, strike "ARTICLE," and substitute "PART 4,".

Page 11, strike line 7 and substitute the following:

"PART 4.";

line 21, strike "ARTICLE." and substitute "PART 4.".

Page 13, line 18, strike "ARTICLE." and substitute "PART 4.";

line 27, strike "12-71-110." and substitute "12-25-410.".

Page 14, line 4, strike "12-71-111." and substitute "12-25-411.";

line 13, strike "12-71-110" and substitute "12-25-410";

line 16, strike "ARTICLE." and substitute "PART 4.";

after line 16, insert the following:

12-25-412. Professional liability. (1) THE SHAREHOLDERS, MEMBERS, OR PARTNERS OF AN ENTITY THAT PRACTICES LANDSCAPE ARCHITECTURE ARE LIABLE FOR THE ACTS, ERRORS, AND OMISSIONS OF THE EMPLOYEES, MEMBERS, AND PARTNERS OF THE ENTITY, EXCEPT WHEN THE ENTITY MAINTAINS A QUALIFYING POLICY OF PROFESSIONAL LIABILITY INSURANCE AS SET FORTH IN SUBSECTION (2) OF THIS SECTION.

(2) (a) A QUALIFYING POLICY OF PROFESSIONAL LIABILITY INSURANCE SHALL MEET THE FOLLOWING MINIMUM STANDARDS:

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

(I) THE POLICY INSURES THE ENTITY AGAINST LIABILITY IMPOSED UPON IT BY LAW FOR DAMAGES ARISING OUT OF THE NEGLIGENT ACTS, ERRORS, AND OMISSIONS OF ALL PROFESSIONAL AND NONPROFESSIONAL EMPLOYEES, MEMBERS, AND PARTNERS; AND

(II) THE INSURANCE IS IN A POLICY AMOUNT OF AT LEAST SEVENTY-FIVE THOUSAND DOLLARS MULTIPLIED BY THE TOTAL NUMBER OF LANDSCAPE ARCHITECTS IN OR EMPLOYED BY THE ENTITY, UP TO A MAXIMUM OF FIVE HUNDRED THOUSAND DOLLARS.

(b) IN ADDITION, THE POLICY MAY INCLUDE:

(I) A PROVISION STATING THAT THE POLICY SHALL NOT APPLY TO THE FOLLOWING:

(A) A DISHONEST, FRAUDULENT, CRIMINAL, OR MALICIOUS ACT OR OMISSION OF THE INSURED ENTITY OR ANY STOCKHOLDER, EMPLOYEE, MEMBER, OR PARTNER;

(B) THE CONDUCT OF A BUSINESS ENTERPRISE THAT IS NOT THE PRACTICE OF LANDSCAPE ARCHITECTURE BY THE INSURED ENTITY;

(C) THE CONDUCT OF A BUSINESS ENTERPRISE IN WHICH THE INSURED ENTITY MAY BE A PARTNER OR THAT MAY BE CONTROLLED, OPERATED, OR MANAGED BY THE INSURED ENTITY IN ITS OWN OR IN A FIDUCIARY CAPACITY, INCLUDING, BUT NOT LIMITED TO, THE OWNERSHIP, MAINTENANCE, OR USE OF PROPERTY;

(D) BODILY INJURY, SICKNESS, DISEASE, OR DEATH OF A PERSON;
OR

(E) DAMAGE TO, OR DESTRUCTION OF, TANGIBLE PROPERTY OWNED BY THE INSURED ENTITY.

(II) ANY OTHER REASONABLE PROVISIONS WITH RESPECT TO POLICY PERIODS, TERRITORY, CLAIMS, CONDITIONS, AND MINISTERIAL MATTERS.";

line 17, strike "12-71-112." and substitute "12-25-413.";

line 20, strike "ARTICLE." and substitute "PART 4.".

Page 15, line 8, strike "ARTICLE, A" and substitute "PART 4, A" and strike "UNDER THIS ARTICLE," and substitute "UNDER THIS PART 4,";

line 9, strike "ARTICLE;" and substitute "PART 4;"

line 17, strike "ARTICLE." and substitute "PART 4.".

Page 16, line 2, strike "ARTICLE" and substitute "PART 4";

line 21, strike "ARTICLE;" and substitute "PART 4;"

line 22, strike "ARTICLE." and substitute "PART 4.";

line 25, strike "ARTICLE" and substitute "PART 4".

Page 17, line 22, strike "ARTICLE" and substitute "PART 4".

Page 18, line 7, strike "ARTICLE" and substitute "PART 4";

line 8, strike "ARTICLE" and substitute "PART 4";

line 20, strike "12-71-113." and substitute "12-25-414.";

line 23, strike "ARTICLE" and substitute "PART 4".

Page 19, line 8, strike "ARTICLE" and substitute "PART 4";

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

line 9, strike "ARTICLE," and substitute "PART 4,"; 1
 line 13, strike "ARTICLE," and substitute "PART 4,"; 2
 line 14, strike "ARTICLE." and substitute "PART 4."; 3
 line 20, strike "ARTICLE," and substitute "PART 4," and strike "ARTICLE." 4
 and substitute "PART 4."; 5
 line 24, strike "**12-71-114.**" and substitute "**12-25-415.**"; 6
 line 27, strike "**12-71-115.**" and substitute "**12-25-416.**". 7
 Page 21, line 12, strike "**12-71-116.**" and substitute "**12-25-417.**"; 8
 line 13, strike "ARTICLE:" and substitute "PART 4:"; 9
 line 15, strike "ARTICLE 4 OF THIS TITLE;" and substitute "PART 3 OF THIS 10
 ARTICLE;"; 11
 line 17, strike "ARTICLE 25 OF THIS TITLE;" and substitute "PART 1 OF THIS 12
 ARTICLE;"; 13
 line 26, strike "ARTICLE" and substitute "PART 4". 14
 Page 22, line 4, strike "ARTICLE" and substitute "PART 4"; 15
 line 6, strike "ARTICLE" and substitute "PART 4"; 16
 line 11, strike "**12-71-117.**" and substitute "**12-25-418.**"; 17
 line 12, strike "ARTICLE" and substitute "PART 4"; 18
 line 14, strike "ARTICLE 4 OF THIS TITLE," and substitute "PART 3 OF THIS 19
 ARTICLE,"; 20
 line 15, strike "ARTICLE 25 OF THIS TITLE," and substitute "THIS ARTICLE,"; 21
 line 16, strike "ARTICLE 25 OF THIS TITLE." and substitute "THIS ARTICLE."; 22
 line 17, strike "**12-71-118.**" and substitute "**12-25-419.**", strike "**article.**" 23
 and substitute "**part 4.**", and strike "ARTICLE" and substitute "PART 4"; 24
 line 18, strike "2016." and substitute "2013."; 25
 line 19, strike "AND THE COLORADO STATE BOARD OF" and substitute "BY 26
 THE BOARD"; 27
 line 20, strike "LANDSCAPE ARCHITECTS"; 28
 strike line 22 and substitute the following: 29
 "**SECTION 2.** 24-34-104 (44) (1), Colorado Revised Statutes, as 30
 amended by House Bill 06-1196, enacted at the Second Regular Session 31
 of the Sixty-fifth General Assembly, is amended, and the said 24-34-104 32
 (44) is further amended"; 33
 line 23, strike "SUBSECTION" and substitute "PARAGRAPH,"; 34
 strike lines 26 and 27. 35
 Page 23, strike lines 1 and 2 and substitute the following: 36
 "(44) The following agencies, functions, or both, shall terminate on July 37
 1, 2013: 38
 (1) The state board of licensure for architects, professional 39
 engineers, and professional land surveyors, AND LANDSCAPE ARCHITECTS 40
 in the department of regulatory agencies, created by section 12-25-106, 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

C.R.S.;

(n) THE LICENSING OF LANDSCAPE ARCHITECTS BY THE STATE BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS, AND LANDSCAPE ARCHITECTS IN THE DEPARTMENT OF REGULATORY AGENCIES, CREATED BY PART 1 OF ARTICLE 25 OF TITLE 12, C.R.S., IN ACCORDANCE WITH PART 4 OF ARTICLE 25 OF TITLE 12, C.R.S.

SECTION 3. 10-1-122, Colorado Revised Statutes, as amended by House Bill 06-1196, enacted at the Second Regular Session of the Sixty-fifth General Assembly, is amended to read:

10-1-122. Reporting of malpractice claims against architects. Each insurance company doing business in this state and engaged in the writing of malpractice insurance for architects shall send to the state board of licensure for architects, professional engineers, and professional land surveyors, AND LANDSCAPE ARCHITECTS, in the form prescribed by the commissioner, information relating to each malpractice claim against a licensed architect or a corporation, partnership, or group of persons practicing architecture that is settled or in which judgment is rendered against the insured within ninety days after the effective date of such settlement or judgment.

SECTION 4. 12-25-101, Colorado Revised Statutes, as amended by House Bill 06-1196, enacted at the Second Regular Session of the Sixty-fifth General Assembly, is amended to read:

12-25-101. General provisions. In order to safeguard life, health, and property and to promote the public welfare, the practice of engineering is declared to be subject to regulation in the public interest. It shall be deemed that the right to engage in the practice of engineering is a privilege granted by the state through the state board of licensure for architects, professional engineers, and professional land surveyors, AND LANDSCAPE ARCHITECTS, created in section 12-25-106; that the profession involves personal skill and presupposes a period of intensive preparation, internship, due examination, and admission; and that a professional engineer's license is solely such professional engineer's own and is nontransferable.

SECTION 5. 12-25-102 (1), Colorado Revised Statutes, as amended by House Bill 06-1196, enacted at the Second Regular Session of the Sixty-fifth General Assembly, is amended to read:

12-25-102. Definitions. As used in this part 1, unless the context otherwise requires:

(1) "Board" means the state board of licensure for architects, professional engineers, and professional land surveyors, AND LANDSCAPE ARCHITECTS, created in section 12-25-106.

SECTION 6. 12-25-106 (1) and (3), Colorado Revised Statutes, as amended by House Bill 06-1196, enacted at the Second Regular Session of the Sixty-fifth General Assembly, are amended to read:

12-25-106. State board of licensure - subject to termination - repeal of article. (1) A state board of licensure for architects, professional engineers, and professional land surveyors, AND LANDSCAPE ARCHITECTS is hereby created, the duty of which shall be to administer the provisions of this article. Duties of the board shall include those provided in sections 12-25-107, 12-25-207, and 12-25-307, AND 12-25-406.

(3) The board shall consist of thirteen members. Four members shall be professional engineers, with no more than two of the four engaged in the same discipline of engineering service or practice; three members shall be practicing professional land surveyors; three members shall be practicing licensed architects; ONE MEMBER SHALL BE A PRACTICING LICENSED LANDSCAPE ARCHITECT; and ~~three~~ TWO members shall be citizens of the United States and residents of this state for at least

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

one year who have not practiced architecture, engineering, or land surveying, OR LANDSCAPE ARCHITECTURE.

SECTION 7. 12-25-119 (2), Colorado Revised Statutes, as enacted by House Bill 06-1196, enacted at the Second Regular Session of the Sixty-fifth General Assembly, is amended to read:

12-25-119. Prior actions. (2) The name change from the state board of licensure for professional engineers and professional land surveyors to the state board of licensure for architects, professional engineers, and professional land surveyors, AND LANDSCAPE ARCHITECTS shall not be construed to change the entity. There shall be no legal discontinuity, and previously licensed engineers shall continue their licensure as professional engineers, and any obligations of the board or of persons to the board shall not be affected by the name change.

SECTION 8. 12-25-202 (1), Colorado Revised Statutes, as amended by House Bill 06-1196, enacted at the Second Regular Session of the Sixty-fifth General Assembly, is amended to read:

12-25-202. Definitions. As used in this part 2, unless the context otherwise requires:

(1) "Board" means the state board of licensure for architects, professional engineers, and professional land surveyors, AND LANDSCAPE ARCHITECTS, created by section 12-25-106.

SECTION 9. 12-25-219 (2), Colorado Revised Statutes, as enacted by House Bill 06-1196, enacted at the Second Regular Session of the Sixty-fifth General Assembly, is amended to read:

12-25-219. Prior actions. (2) The name change from the state board of licensure for professional engineers and professional land surveyors to the state board of licensure for architects, professional engineers, and professional land surveyors, AND LANDSCAPE ARCHITECTS shall not be construed to change the entity. There shall be no legal discontinuity, and previously licensed land surveyors shall continue their licensure as land surveyors, and any obligations of the board or of persons to the board shall not be affected by the name change.

SECTION 10. 24-1-122 (3) (u), Colorado Revised Statutes, as amended by House Bill 06-1196, enacted at the Second Regular Session of the Sixty-fifth General Assembly, is amended to read:

24-1-122. Department of regulatory agencies - creation. (3) The following boards and agencies are transferred by a **type 1** transfer to the department of regulatory agencies and allocated to the division of registrations:

(u) State board of licensure for architects, professional engineers, and professional land surveyors, AND LANDSCAPE ARCHITECTS, created by section 12-25-106, C.R.S.;

SECTION 11. 25-5-702 (5), Colorado Revised Statutes, as amended by House Bill 06-1196, enacted at the Second Regular Session of the Sixty-fifth General Assembly, is amended to read:

25-5-702. Definitions. As used in this part 7, unless the context otherwise requires:

(5) "Qualified tramway design engineer" or "qualified tramway construction engineer" means an engineer licensed by the state board of licensure for architects, professional engineers, and professional land surveyors, AND LANDSCAPE ARCHITECTS pursuant to part 1 of article 25 of title 12, C.R.S., to practice professional engineering in this state.

SECTION 12. 38-50-103 (1), (2) (a), (3), and (4), Colorado Revised Statutes, as amended by House Bill 06-1196, enacted at the Second Regular Session of the Sixty-fifth General Assembly, are

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

amended to read:

38-50-103. Public records - monument records. (1) The state board of licensure for architects, professional engineers, and professional land surveyors, AND LANDSCAPE ARCHITECTS, created in section 12-25-106, C.R.S., shall employ personnel at the expense of such board's licensed professional land surveyors to maintain a monument record filing system for all monument records filed in accordance with section 38-53-104.

(2) (a) The state board of licensure for architects, professional engineers, and professional land surveyors, AND LANDSCAPE ARCHITECTS shall transmit a copy of each monument record accepted for filing, without fee, to the county clerk and recorder for the county in which the monument is located.

(3) Certified copies of monument records of the state board of licensure for architects, professional engineers, and professional land surveyors, AND LANDSCAPE ARCHITECTS shall be evidence in all courts and places in this state.

(4) No fee shall be charged by the state board of licensure for architects, professional engineers, and professional land surveyors, AND LANDSCAPE ARCHITECTS for the filing of monument records. The cost of maintaining the monument record files shall be recouped as part of the renewal fee charged to licensees. Such renewal fee shall be calculated to cover the costs of the staff and equipment necessary to maintain the monument record filing system.

SECTION 13. 38-51-102 (5), Colorado Revised Statutes, as amended by House Bill 06-1196, enacted at the Second Regular Session of the Sixty-fifth General Assembly, is amended to read:

38-51-102. Definitions. As used in this article, unless the context otherwise requires:

(5) "Board" means the state board of licensure for architects, professional engineers, and professional land surveyors, AND LANDSCAPE ARCHITECTS, created in section 12-25-106, C.R.S.

SECTION 14. 38-53-103 (5), Colorado Revised Statutes, as amended by House Bill 06-1196, enacted at the Second Regular Session of the Sixty-fifth General Assembly, is amended to read:

38-53-103. Definitions. As used in this article, unless the context otherwise requires:

(5) "Board" means the state board of licensure for architects, professional engineers, and professional land surveyors, AND LANDSCAPE ARCHITECTS, created in section 12-25-106, C.R.S.

SECTION 15. 12-25-302 (2), Colorado Revised Statutes, as enacted by House Bill 06-1196, enacted at the Second Regular Session of the Sixty-fifth General Assembly, is amended to read:

12-25-302. Definitions. As used in this part 3, unless the context otherwise requires:

(2) "Board" means the state board of licensure for architects, professional engineers, and professional land surveyors, AND LANDSCAPE ARCHITECTS, created in section 12-25-106."

Renumber succeeding sections accordingly.

Page 23, line 15, strike "board of" and substitute "state board of licensure for architects, professional engineers, professional land surveyors, and";

line 17, strike "eighteen thousand five hundred thirty-seven dollars (\$118,537)" and substitute "fifteen thousand eighteen dollars (\$115,018)".

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

MESSAGE FROM THE GOVERNOR

March 10, 2006

Honorable Members of the Colorado Senate
State Capitol Building
Denver, CO 80203

Ladies and Gentleman:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, and, in particular, Article IV, Section 6(2) of the Constitution of the State of Colorado, I have the honor to nominate and submit for your consideration Ginette Dennis for the Office of Secretary of State of the State of Colorado.

The vacancy in the Office of Secretary of State is due to the resignation of Donetta Davidson, effective August 19, 2005. The appointee will serve for the remainder of the current term expiring January 8, 2007.

I respectfully request that you schedule the confirmation hearing for Ms. Dennis at your earliest convenience.

Sincerely,
(signed)
Bill Owens
Governor
Rec'd: 3/13/06
Karen Goldman, Secretary of the Senate

Committee on State, Veterans and Military Affairs

SENATE SERVICES REPORT

Correctly Printed: SB06-237, and 238; SJR06-051.
Correctly Engrossed: SB06-221, 233, 225, and 235; SJR06-015.
Correctly Reengrossed: SB06-031, and 138.
Correctly Revised: HB06-1018, 1046, 1072, 1086, 1124, 1127, 1147, 1157, 1161, 1277, 1293, 1294, 1314, 1383, and 1381; HJM06-1003.
Correctly Rerevised: HB06-1090, and 1281.
Correctly Enrolled: SB06-028, and 100.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, April 27, 2006, at 1:45 p.m.:

SB06-068, 120, 144, and 187.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of April 28 was laid over until Monday, May 1, retaining its place on the calendar.

General Orders -- Second Reading of Bills -- Consent Calendar: HB06-1323, HB06-1364,
General Orders -- Second Reading of Bills: HB06-1054, HB06-1006, HB06-1278, HB06-1360, HB06-1347, HB06-1339, HB06-1176, HB06-1337, HB06-1344, HB06-1330, HB06-1317, HB06-1024.
Consideration of Resolutions: SJR06-029, SJR06-019, SJR06-022, HJR06-1016, SR06-010, SJR06-033, SJR06-036, SJR06-038, SJR06-039, SJR06-040, SJR06-041, SJR06-042, SJR06-043, SJR06-044, SJR06-045, SJR06-049, SR06-012, HJR06-1023,

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

SJR06-051.	1
Consideration of Memorials: SJM06-001, HJM06-1002, SJM06-004.	2
Consideration of House Amendments to Senate Bills: SB06-014, SB06-041, SB06-204, SB06-066, SB06-080, SB06-037, SB06-008.	3
Consideration of House Adherence: HB06-1159.	4
Consideration of Governor's Appointments:	5
Members of the Read-To-Achieve Board.	6
Members of the Financial Services Board.	7
Members of the Colorado Banking Board.	8
Member of the Board of Trustees for Western State College of Colorado.	9
Executive Director of the Colorado Commission on Higher Education.	10
Member of the Colorado State Fair Authority Board of Commissioners.	11
Member of the CoverColorado Board of Directors.	12
Members of the Examining Board of Plumbers.	13
Members of the Colorado Tourism Office Board of Directors.	14
Members of the Colorado Limited Gaming Control Commission.	15
State Board of Equalization.	16
Conference Committees to Report: HB06-1121, HB06-1169, SB06-051.	17

On motion of Senator Gordon, the Senate adjourned until 10:00 a.m., Monday, May 1, 2006.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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