

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

118th Legislative Day

Monday, May 8, 2006

Prayer	By the chaplain, Rev. Bill Calhoun, Montview Boulevard Presbyterian Church, Denver.	1
Pledge	By Senator Owen.	2
Call to Order	By the President at 10:00 a.m.	3
Roll Call	Present--35.	4
Quorum	The President announced a quorum present.	5
Reading of Journal	On motion of Senator Grossman, reading of the Journal of May 5, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.	6

MESSAGE FROM THE HOUSE

May 5, 2006

Madame President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB06-219, amended as printed in House Journal, May 4, page 1772, and amended on Third Reading as printed in House Journal, May 5.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB06-046, amended as printed in House Journal, May 4, page 1772.

The House has voted to concur in the Senate amendments to HB06-1277, 1293,1024,1054,1278,1306,1323,1330,1346,1347,1360,1001, 1004,1017,1045,1145,1149,1151,1171,1211,1270,1304,1310,1312, 1326,1331,1362,1363,1387,1011,1003,1092,1302,1343,1395,1396, 1398,1399,1408,1411, and has repassed the bills as so amended.

The House has postponed indefinitely SB06-214. The bill is returned herewith.

The House has voted to recede from its position, dissolve the First Conference Committee on HB06-1057, and concur in Senate amendments, and has repassed the bill. The House requests return of the bill.

The House has voted not to concur in the Senate amendments to HB06-1380 and requests that a conference committee be appointed. The Speaker has appointed Representatives Riesberg, chairman, Weissmann, and Witwer as House conferees on the First Conference Committee on HB06-1380. The bill is transmitted herewith.

The House has adopted and transmits herewith HJR06-1022, HJR06-1031, HJR06-1036.

May 5, 2006

Madame President:

In response to the request from the Senate, SB06-089 is returned herewith.

MESSAGE FROM THE REVISOR OF STATUTES

May 8, 2006

We herewith transmit:

Without comment, as amended, SB06-046 and 219.

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 -- SJR06-049.

CONSIDERATION OF RESOLUTIONS

SJR06-049 by Senator(s) Traylor; also Representative(s) Knoedler--Concerning recognition of Senator Norma Anderson.

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

Amend printed joint resolution, page 2, after line 10, insert the following:

"WHEREAS, Senator Anderson also serves her community as Vice-Chair of the Great Outdoors Colorado Board, Vice-Chair of the Arapahoe House Board, a member of the Drug Control and System Improvement Advisory Board, a member of Justice Assistance Grants, and a member of the Editorial Board for Headfirst Magazine; and

WHEREAS, Senator Anderson is a past member of the National Council of State Legislators Executive Committee and the Governor's Blue Ribbon Panel on Higher Education; and

WHEREAS, Senator Anderson is the recipient of more than 70 recognitions and awards, which include the Mines Medal from the Colorado School of Mines, the Liberty Bell Award from First Judicial District Bar Association, the 2003 Ralph Cole Award from Colorado Community Corrections Coalition, the Guardian of Small Business from the National Federation of Independent Business, the CASEY Award from the Colorado Association of School Executives, the Roderick L. Downing Award from the Colorado Department of Transportation, and the Women of Distinction Award from the Girl Scouts; and";

line 23, strike "a copy" and substitute "copies";

line 24, strike "Anderson." and substitute "Anderson and her children, Karla Bradford of Roseville, California, Bryan Anderson of McKinney, Texas, and Jay Anderson of Wheat Ridge, Colorado.".

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

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

Table with 4 columns: YES, NO, EXCUSED, ABSENT and 4 rows of names and their corresponding votes.

Co-sponsors added: Bacon, Boyd, Brophy, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Isgar, Johnson, Jones, Keller, Kester, Lamborn, May R., McElhany,

Mitchell, Owen, Sandoval, Shaffer, Spence, Takis, Tapia, Taylor, Teck, Tochtrop, Tupa, Veiga, Wiens, Williams and Windels.

1
2
3

INTRODUCTION OF RESOLUTIONS

4
5
6
7

The following resolutions were read by title:

8
9

HJR06-1022 by Representative(s) Solano, Curry, Gallegos, Hodge, Madden, McFadyen, Rose, Benefield, Larson, Liston, McCluskey, McGihon, Penry, Todd, Vigil, Weissmann, Witwer; also Senator(s) Tochtrop, Groff, Grossman--Concerning the recovery of lynx in Colorado, and, in connection therewith, urging the adoption of a lynx recovery plan by the United States Fish and Wildlife Service.

10
11
12
13
14

Laid over one day under Senate Rule 30(e).

15
16

HJR06-1031 by Representative(s) McGihon; also Senator(s) Hagedorn--Concerning recognition of World Ostomy Day on October 7, 2006.

17
18
19

Laid over one day under Senate Rule 30(e).

20
21

HJR06-1036 by Representative(s) Jahn, Gallegos, Cloer, Kerr J.; also Senator(s) Gordon, Fitz-Gerald, McElhany--Concerning the retention of officers and employees of the Second Regular Session of the Sixty-fifth General Assembly.

22
23
24
25

Laid over one day under Senate Rule 30(e).

26
27

APPOINTMENTS TO CONFERENCE COMMITTEE

28
29
30

The President appointed Senators Veiga, Chairman, Boyd, and Kester as Senate Conferees on the First Conference Committee on **HB06-1380**.

31
32
33
34
35

COMMITTEE OF REFERENCE REPORTS

36
37

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB06-206**

38
39
40
41

THIS REPORT AMENDS THE
REREVISED BILL

42
43
44
45
46

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

47
48
49

Your first conference committee appointed on SB06-206, concerning a prohibition on the smuggling of humans into Colorado, and making an appropriation in connection therewith, has met and reports that it has agreed upon the following:

50
51
52
53
54

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

55
56
57
58

Amend rerevised bill, page 2, line 14, after "COUNTY", insert "IN THE STATE".

59
60
61

Respectfully submitted,

62
63

Senate Committee:
(signed)
Senator Groff, Chair
Senator Traylor
Senator Shaffer

House Committee:
(signed)
Representative Green, Chair
Representative Crane
Representative T. Carroll

64
65
66
67
68
69

70
71
72

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB06-072

THIS REPORT AMENDS THE
REREVISED BILL

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

Your first conference committee appointed on SB06-072,
concerning increasing penalties for careless driving, has met and reports
that it has agreed upon the following:

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

Amend rerevised bill, page 2, line 19, strike "section 42-2-127." and
substitute "section SECTIONS 42-2-127 AND 42-2-127.8."

Page 3, strike lines 17 through 25 and substitute the following:

"SECTION 3. Part 1 of article 2 of title 42, Colorado Revised
Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION
to read:

**42-2-127.8. Authority to suspend license - careless driving
resulting in serious bodily injury or death.** (1) (a) WHENEVER THE
DEPARTMENT RECEIVES NOTICE THAT A PERSON HAS BEEN CONVICTED OF
AN OFFENSE PURSUANT TO SECTION 42-4-1402 INVOLVING SERIOUS
BODILY INJURY OR DEATH, THE DEPARTMENT SHALL IMMEDIATELY
SUSPEND THE LICENSE OF THE PERSON AS FOLLOWS:

(I) FOR A VIOLATION RESULTING IN SERIOUS BODILY INJURY TO
ANOTHER PERSON, NOT LESS THAN SIX MONTHS;

(II) FOR A VIOLATION RESULTING IN DEATH TO ANOTHER PERSON,
NOT LESS THAN ONE YEAR.

(b) FOR PURPOSES OF THIS SUBSECTION (1), A PERSON HAS BEEN
CONVICTED WHEN THE PERSON HAS BEEN FOUND GUILTY BY A COURT OR
A JURY, ENTERED A PLEA OF GUILTY OR NOLO CONTENDERE, OR RECEIVED
A DEFERRED SENTENCE FOR AN OFFENSE.

(2) (a) UPON SUSPENSION OF A PERSON'S LICENSE AS REQUIRED BY
THIS SECTION, THE DEPARTMENT SHALL IMMEDIATELY NOTIFY THE
PERSON AS PROVIDED IN SECTION 42-2-119 (2).

(b) UPON RECEIPT OF THE NOTICE OF SUSPENSION, THE PERSON OR
THE PERSON'S ATTORNEY MAY REQUEST A HEARING IN WRITING. THE
DEPARTMENT SHALL HOLD A HEARING NOT LESS THAN THIRTY DAYS
AFTER RECEIVING THE REQUEST, WHICH HEARING SHALL BE CONDUCTED
BY A HEARING COMMISSIONER APPOINTED BY THE EXECUTIVE DIRECTOR
OF THE DEPARTMENT AND IN ACCORDANCE WITH THE PROVISIONS OF
SECTION 24-4-105, C.R.S. THE HEARING SHALL BE HELD AT THE DISTRICT
OFFICE OF THE DEPARTMENT CLOSEST TO THE RESIDENCE OF THE PERSON;
EXCEPT THAT ALL OR PART OF THE HEARING MAY, AT THE DISCRETION OF
THE DEPARTMENT, BE CONDUCTED IN REAL TIME BY TELEPHONE OR OTHER
ELECTRONIC MEANS IN ACCORDANCE WITH SECTION 42-1-218.5, UNLESS
THE PERSON REQUESTS TO APPEAR IN PERSON AT THE HEARING. AFTER
THE HEARING, THE PERSON MAY APPEAL THE DECISION OF THE
DEPARTMENT TO THE DISTRICT COURT AS PROVIDED IN SECTION 42-2-135.
IF A PERSON WHO HAD A LICENSE SUSPENDED UNDER THIS SECTION IS
SUBSEQUENTLY ACQUITTED BY A COURT OF RECORD OF THE CONVICTION
THAT REQUIRED THE SUSPENSION, THE DEPARTMENT SHALL
IMMEDIATELY, OR IN ANY EVENT NOT LATER THAN TEN DAYS AFTER THE
RECEIPT OF THE NOTICE OF ACQUITTAL, REINSTATE THE PERSON'S LICENSE
TO THE PERSON AFFECTED, UNLESS THE LICENSE IS UNDER OTHER
RESTRAINT.

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
70
71
72

(3) (a) IF THERE IS NO OTHER STATUTORY REASON FOR DENIAL OF A PROBATIONARY LICENSE, A PERSON WHO HAD A LICENSE SUSPENDED BY THE DEPARTMENT BECAUSE OF, IN WHOLE OR IN PART, A CONVICTION OF AN OFFENSE SPECIFIED IN SUBSECTION (1) OF THIS SECTION SHALL BE ENTITLED TO A PROBATIONARY LICENSE FOR THE PURPOSE OF DRIVING FOR REASONS OF EMPLOYMENT, EDUCATION, HEALTH, OR COMPLIANCE WITH THE REQUIREMENTS OF PROBATION. SUCH A PROBATIONARY LICENSE SHALL:

(I) CONTAIN ANY OTHER RESTRICTIONS THE DEPARTMENT DEEMS REASONABLE AND NECESSARY;

(II) BE SUBJECT TO CANCELLATION FOR VIOLATION OF ANY OF THE RESTRICTIONS; AND

(III) BE ISSUED FOR THE ENTIRE PERIOD OF SUSPENSION.

(b) THE DEPARTMENT MAY REFUSE TO ISSUE A PROBATIONARY LICENSE IF THE DEPARTMENT FINDS THAT THE DRIVING RECORD OF THE PERSON IS SUCH THAT THE PERSON HAS SUFFICIENT POINTS TO REQUIRE THE SUSPENSION OR REVOCATION OF A LICENSE TO DRIVE ON THE HIGHWAYS OF THIS STATE PURSUANT TO SECTION 42-2-127, OR IF THE DEPARTMENT FINDS FROM THE RECORD AFTER A HEARING CONDUCTED IN ACCORDANCE WITH THIS SECTION THAT AGGRAVATING CIRCUMSTANCES EXIST TO INDICATE THE PERSON IS UNSAFE FOR DRIVING FOR ANY PURPOSE. IN REFUSING TO ISSUE A PROBATIONARY LICENSE, THE DEPARTMENT SHALL MAKE SPECIFIC FINDINGS OF FACT TO SUPPORT THE REFUSAL."

Respectfully submitted,

Senate Committee:
(signed)
Senator Tochtrop, Chair
Senator Brophy
Senator Grossman

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

MESSAGE FROM THE HOUSE
CORRECTED

May 5, 2006
Madame President:

In response to the request of the Senate, the Speaker has appointed Representatives Penry, chairman, Curry, and Buescher as House conferees on the First Conference Committee on SB06-179.

In response to the request of the Senate, the Speaker has appointed Representatives Harvey, chairman, Pommer, and McFadyen as House conferees on the First Conference Committee on SB06-072.

In response to the request of the Senate, the Speaker has appointed Representatives Benefield, chairman, Solano, and J. Kerr as House conferees on the First Conference Committee on SB06-230. The House has voted to grant the House conferees on the First Conference Committee on SB06-230 to consider matters not at issue between the two houses.

SENATE SERVICES REPORT

Correctly Engrossed: SJR06-029, 036, 040, 043, 045, 051, 052, and 054.
Correctly Revised: HB06-1158, 1382, and 1404.
Correctly Rerevised: HB06-1003, 1092, 1178, 1283, 1302, 1322, 1336, 1343, 1384, 1393, 1395, 1396, 1397, 1398, 1399, 1400, 1405, 1406, 1408, 1409, 1410, and 1411.
Correctly Enrolled: SB06-065, 073, 105, and 106.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB06-037, 041, 049, 058, 071, 106, 129, 172, 176, and 204.

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:

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

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

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

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

Co-sponsors added: May R.

HB06-1382 by Representative(s) Merrifield, McFadyen, Penry, Cloer, Larson, White, Stafford, Gallegos, Balmer, Benefield, Butcher, Carroll T., Cerbo, Clapp, Coleman, Decker, Frangas, Green, Hodge, Lindstrom, Madden, Marshall, Massey, May M., McKinley, Paccione, Plant, Ragsdale, Riesberg, Rose, Solano, Soper, Stengel, Todd, Vigil; also Senator(s) Shaffer, Jones--Concerning the creation of the "Right to Rest in Peace Act".

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

Third Reading Amendment No. 1(L.017), by Senator Shaffer.

Amend revised bill, page 2, strike lines 7 and 8.

Reletter succeeding paragraphs accordingly.

Page 3, line 13, strike "AT A FUNERAL SITE";

line 14, strike "PERSON." and substitute "PERSON, INCLUDING THE ASSEMBLY AND DISPERSAL OF THE MOURNERS.".

Page 5, line 27, after "IN", insert "SEVERE".

Page 6, line 6, after "REQUEST", insert "OF";

line 7, strike "OR A PEACE OFFICER WHO" and substitute "OR UPON THE REQUEST OF A PEACE OFFICER, AND THE PUBLIC OFFICIAL OR PEACE OFFICER MAKING THE REQUEST".

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

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

Third Reading Amendment No. 2(L.018), by Senator Tupa.

Amend revised bill, page 5, strike lines 24 through 27.

Page 6, strike line 1.

Reletter succeeding paragraphs accordingly.

The amendment was declared **adopted** on the following roll call vote:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	N
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	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	N		

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

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

HB06-1404 by Representative(s) Todd, Balmer, Benefield, Borodkin, Garcia, Merrifield, Pommer, Solano; also Senator(s) Bacon--Concerning the creation of a support education special license plate, and making an appropriation therefor.

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

Third Reading Amendment No. 1(L.017), by Senator Bacon.

Amend revised bill, page 3, line 11, strike "DISTRICT," and substitute "DISTRICT OR";

line 14, after "THE", insert "FEDERAL".

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

HB06-1158 by Representative(s) Weissmann; also Senator(s) Tupa, Groff, Grossman--Concerning school safety inspections, and making an appropriation in connection therewith.

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

Third Reading Amendment No. 1(L.007), by Senator Tupa.

Amend revised bill, page 7, line 11, strike "COLLECTED";

strike line 12 and substitute the following:

"The".

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	25	NO	10	EXCUSED	0	ABSENT	0
Bacon	N	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	N	Kester	Y	Takis	N	Williams	N
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	N
Groff	Y	May R.	N	Taylor	N	President	N
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: Shaffer, Tochtrop and Wiens.

SENATE RECEDE ON SB06-131

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

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

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

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

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

YES	29	NO	6	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	Y
Brophy	Y	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	N		

Co-sponsors added: Boyd, Groff, Williams and Windels.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills -- SB06-219, SB06-229, SB06-227, SB06-046.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

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, and making an appropriation therefor.

Senator Keller moved that the Senate concur in House amendments to **SB06-219**, as printed in House Journal, May 4, page 1772 and May 5, pages 1825-1826. The motion was **passed** by the following roll call vote:

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

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

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

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

SB06-229

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.

Senator Fitz-Gerald moved that the Senate concur in House amendments to **SB06-229**, as printed in House Journal, May 4, page 1781. The motion was **passed** by the following roll call vote:

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

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

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

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

Co-sponsors added: Bacon and Tapia.

SB06-227

by Senator(s) Tochtrop; also Representative(s) Solano, Frangas, Madden, Marshall, Pommer--Concerning reporting requirements regarding the payment of health care costs, and making an appropriation therefor.

Senator Tochtrop moved that the Senate concur in House amendments to **SB06-227**, as printed in House Journal, May 4, page 1779. The motion was **LOST** by the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	N	Owen	N	Traylor	N
Brophy	N	Johnson	N	Sandoval	N	Tupa	Y
Dyer	N	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		

Laid over until later in the day, Monday, May 8, retaining its place on the calendar.

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

Senator Tupa moved that the Senate concur in House amendments to **SB06-046**, as printed in House Journal, May 4, page 1772. The motion was **passed** by the following roll call vote:

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

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

YES	23	NO	12	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	N
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	Y	Shaffer	Y	Veiga	Y
Entz	N	Keller	Y	Spence	N	Wiens	N
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, as amended, was declared **repassed**.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB06-1380 by Representative(s) Riesberg; also Senator(s) Veiga--Concerning the development of measures to reduce the theft of retail goods.

Senator Veiga moved that the Senate Conferes on the First Conference Committee on **HB06-1380** 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

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

Senator Tochtrop moved for the adoption of the First Report of the First Conference Committee on **HB06-1314**, as printed in Senate Journal, May 5, page 1265. The motion was **adopted** by the following roll call vote:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	N
Brophy	Y	Johnson	N	Sandoval	N	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	N	Wiens	N
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	N	President	Y
Grossman	Y	McElhany	N	Teck	N		

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

YES	18	NO	16	EXCUSED	0	ABSENT	1
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	N
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	N	Keller	Y	Spence	N	Wiens	N
Evans	A	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, as amended, was declared **repassed**.

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 Governor's Appointments.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

MEMBERS OF THE FINANCIAL SERVICES BOARD

for terms expiring July 1, 2009:

Douglas A. Ferraro of Lone Tree, Colorado, to serve as an executive officer of a state credit union and as a Republican, reappointed;

Stephen R. Williams of Gunnison, Colorado, to serve as an executive officer of a state savings and loan association and as a Democrat, reappointed;

Martelle Chapital of Westminster, Colorado, to serve as a public member with expertise in finance and as a Democrat, reappointed.

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

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

MEMBERS OF THE
COLORADO BANKING BOARD

for a term expiring July 1, 2009:

Mary S. Reisher of Cherry Hills Village, Colorado, to serve as an executive officer of a state bank and as an Unaffiliated from the First Congressional District, reappointed;

William A. Mitchell, Jr., of Superior, Colorado, to serve as an executive officer of a state bank and as a Republican from the Second Congressional District, reappointed;

D. Terry Reitan of Golden, Colorado, to serve as the representative of an executive officer of a trust company and as an Unaffiliated from the Sixth Congressional District, reappointed.

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

On motion of Senator Windels, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
BOARD OF TRUSTEES FOR
WESTERN STATE COLLEGE OF COLORADO

for terms expiring January 1, 2010:

Peter A. Dea of Golden, Colorado, reappointed.

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

On motion of Senator Windels, the following Governor's appointment was confirmed by a roll call vote:

EXECUTIVE DIRECTOR OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

for a term expiring at the pleasure of the Governor:

Jennifer Langer of Denver, Colorado, appointed.

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

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

MEMBER OF THE
COLORADO STATE FAIR AUTHORITY
BOARD OF COMMISSIONERS

for a term expiring November 1, 2008:

Jim I. Snook of Brighton, Colorado, to serve as a Republican from the Fourth Congressional District, reappointed.

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

On motion of Senator Veiga, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
COVERCOLORADO BOARD OF DIRECTORS

for a term ending July 1, 2009:

Michael B. Norris of Brighton, Colorado, to serve as a representative of a stop-loss or excess loss insurance carrier, appointed.

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

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

MEMBERS OF THE
EXAMINING BOARD OF PLUMBERS

for terms expiring July 1, 2009:

Michael E. Wieseler of Westminster, Colorado, to serve as a journeyman plumber and as a Democrat, reappointed;

Giles J. Schurman of Broomfield, Colorado, to serve as an employee of a local government agency conducting plumbing inspections and as a Democrat, reappointed;

Von DeWayne Stelljes of Brighton, Colorado, to fill the vacancy occasioned by the resignation of Paul W. Christensen of Placerville, Colorado, and to serve as a member of the public and as a Republican, appointed.

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

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

MEMBERS OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for terms expiring June 1, 2006:

Corry D. Mihm of Breckenridge, Colorado, to fill the vacancy occasioned by the resignation of Sarah L. MacQuiddy of Greeley, Colorado, and to serve as a representative of the destination marketing industry, appointed;

Kevin B. Schneider of Carbondale, Colorado, to fill the vacancy occasioned by the resignation of Kathy Palmeri of Estes Park, Colorado, and to serve as a representative of other outdoor recreation industries, appointed.

for terms expiring June 1, 2009:

Stephanie Foote of Denver, Colorado, to fill the vacancy occasioned by the resignation of Douglas L. Jones of Denver, Colorado, and to serve as a representative of cultural event and facility groups and as a Republican, appointed;

Janet L. Frederick of Eads, Colorado, to serve as an at large representative of tourism-based industries and as an Unaffiliated, appointed;

for a term expiring June 1, 2008:

Andre A. Gutierrez of Colorado Springs, Colorado, to fill the vacancy occasioned by the resignation of Steve Szapor, Jr., of Highlands Ranch, Colorado, and to serve as a representative of private travel attractions and casinos and as a Republican, reappointed.

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

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

MEMBERS OF THE
COLORADO LIMITED GAMING CONTROL COMMISSION

for a term expiring July 1, 2006:

Patricia G. Imhoff of Greenwood Village, Colorado, to fill the vacancy occasioned by the removal of Natalie Meyer of Denver, Colorado, and to serve as a member from the Sixth Congressional District with experience in business in a management-level capacity and as a Democrat, appointed;

for terms expiring July 1, 2007:

William J. Hybl of Colorado Springs, Colorado, to fill the vacancy occasioned by the removal of Robert A. Millman of Colorado Springs, Colorado, and to serve as a member from the Fifth Congressional District and to serve as an attorney and as a Republican, appointed;

Meyer M. Saltzman of Denver, Colorado, to fill the vacancy occasioned by the resignation of Barbara A. Jenkins of Lakewood, Colorado, and to serve as a member from the First Congressional District and to serve as a certified public accountant and as a Republican, appointed.

for a term expiring July 1, 2008:

Florence E. Hunt of Pueblo, Colorado, to fill the vacancy occasioned by the resignation of Benjamin J. Cadiz of Centennial, Colorado, and to serve as a registered elector and as a Democrat from the Third Congressional District, appointed;

for a term expiring July 1, 2009:

Sheriff James A. Alderden of Fort Collins, Colorado, to serve as a representative of law enforcement and as a Republican from the Fourth Congressional District, reappointed.

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

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB06-230**

**THIS REPORT AMENDS THE
REREVISED BILL**

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

Your first conference committee appointed on SB06-230, concerning the regulation of wholesalers of prescription drugs, and making an appropriation therefor, has met and reports that it has agreed upon the following:

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

Amend rerevised bill, page 9, line 13, after "SHALL", insert "HAVE THE

AUTHORITY TO";

line 14, strike "THIS SECTION" and substitute "SECTIONS 12-22-802 AND 12-22-803".

Page 13, line 16, strike "APPLICANT IF THE" and substitute "APPLICANT. NOTHING IN THIS SUBSECTION (4) SHALL PRECLUDE THE BOARD FROM INSPECTING A WHOLESALER.";

strike lines 17 through 24.

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

Page 9, line 20, after "ENTITY", insert "THAT IS NOT ENGAGED IN THE ACTIVITIES DESCRIBED IN PARAGRAPH (d) OF SUBSECTION (1) OF THIS SECTION BUT";

after line 25, insert the following:

"(c) THE BOARD SHALL EXEMPT FROM THE REQUIREMENTS OF SECTIONS 12-22-802 AND 12-22-803 A LICENSED WHOLESALER OPERATED BY A NONPROFIT ORGANIZATION EXEMPT FROM TAXATION UNDER SECTION 501 (c) (3) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, THAT ENGAGES ONLY IN INTRACOMPANY SALES OR TRANSFERS OF PRESCRIPTION DRUGS TO LICENSED OTHER OUTLETS OR PHARMACIES THAT ARE CONTROLLED BY, OR UNDER COMMON OWNERSHIP OR CONTROL WITH, THE WHOLESALER AND THAT PURCHASE DRUGS DIRECTLY FROM THE MANUFACTURER OR THE MANUFACTURER'S AUTHORIZED DISTRIBUTOR OF RECORD FOR DISTRIBUTION OR TRANSFER TO THE WHOLESALER'S LICENSED OTHER OUTLETS, PHARMACIES, OR OTHER AREAS AUTHORIZED BY STATE LAW. THE BOARD SHALL EXEMPT A LICENSED WHOLESALER OPERATED BY A HOSPITAL, A STATE AGENCY, OR A POLITICAL SUBDIVISION FROM THE REQUIREMENTS OF SECTIONS 12-22-802 AND 12-22-803 IF SUCH ENTITY PURCHASES DRUGS DIRECTLY FROM A MANUFACTURER OR A MANUFACTURER'S AUTHORIZED DISTRIBUTOR OF RECORD AND IF ANY FURTHER DISTRIBUTION IS TO AUTHORIZED, LICENSED ENTITIES WITHIN ITS OWN NETWORK.".

Page 11, line 24, strike "ALL";

strike lines 25 through 27 and substitute the following:

"INFORMATION AS REQUIRED BY THE BOARD, INCLUDING BUT NOT LIMITED TO THE INFORMATION IN SUBSECTION (5) OF THIS SECTION.".

Strike page 12.

Page 13, strike lines 1 through 7.

Page 14, strike lines 26 and 27.

Page 15, strike lines 1 through 20.

Re-number succeeding subsection accordingly.

Respectfully submitted,

Senate Committee:
(signed)
Senator Boyd, Chair
Senator Tochtrop
Senator Johnson

House Committee:
(signed)
Representative Benefield, Chair
Representative Todd
Representative J. Kerr

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

MESSAGE FROM THE HOUSE

May 8, 2006

Madame President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SCR06-001, amended as printed in House Journal, May 1, page 1601.) The House has voted to concur in the Senate amendments to HB06-1283, 1322, and has repassed the bills as so amended.

The House has adopted and returns herewith SJR06-049.

The House has voted to grant the House conferees on the First Conference Committee on SB06-036 to consider matters not at issue between the two houses.

The House has voted to grant the House conferees on the First Conference Committee on HB06-1380 to consider matters not at issue between the two houses.

The Speaker announced Representative Solano will replace Representative Todd as house conferee on SB06-230.

The House has voted not to concur in the Senate amendments to HB06-1397 and requests that a conference committee be appointed. The Speaker has appointed Representatives Solano, chairman, Paccione, and King as House conferees on the First Conference Committee on HB06-1397. The bill is transmitted herewith.

The House has voted to reject the First Conference Committee on HB06-1257 and requests the Conferees be discharged and that a Second Conference Committee be appointed. The Speaker has appointed Representative(s) Green, chairman, Paccione, King as conferees on the Second Conference Committee on HB06-1257. The bill is transmitted herewith.

MESSAGE FROM THE REVISOR OF STATUTES

May 8, 2006

We herewith transmit:

Without comment, as amended, SCR06-001.

MESSAGE FROM THE GOVERNOR

Appointment A letter of designation and appointment from Governor Owens was read and assigned to Committee as follows:

January 4, 2006

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF PUBLIC HEALTH
AND ENVIRONMENT

for a term expiring at the pleasure of the Governor:

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
70
71

Dennis E. Ellis of Arvada, Colorado

Sincerely,
 (signed)
 Bill Owens
 Governor
 Rec'd: 1/10/06
 Karen Goldman, Secretary of the Senate
 Committee on Health & Human Services

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
70
71

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB06-1018, 1085, 1154.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, May 8, 2006, at 12:05 p.m.:

SB06-037, 041, 049, 058, 071, 106, 129, 172, 176, and 204.

REQUEST FOR A CONFERENCE COMMITTEE -- HB06-1257

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

Senator Keller moved that the First Conference Committee on HB06-1257 be dissolved, that a Second Conference Committee be appointed and that the members be given powers to go beyond the scope of the differences between the two Houses.

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

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

APPOINTMENTS TO CONFERENCE COMMITTEE

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

The President appointed Senators Shaffer, Chairman, Williams, and Spence as Senate Conferees on the First Conference Committee on **HB06-1397**.

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 Governor's Appointments.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Sandoval, the following Governor's appointment was confirmed by a roll call vote:

STATE BOARD OF EQUALIZATION

for a term expiring September 2, 2009:

Charles S. Brown of Littleton, Colorado, to fill the vacancy occasioned by the resignation of JoAnn Groff of Westminster, Colorado, and to serve as a person with knowledge of property taxation, appointed.

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

On motion of Senator Grossman, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
STATE BOARD OF
STOCK INSPECTION COMMISSIONERS

for a term expiring May 1, 2010:

Roger W. Hickert of Akron, Colorado, to represent the confinement cattle industry, reappointed.

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

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

MEMBERS OF THE
STATE BOARD OF NURSING

for a term expiring July 1, 2007:

Thomas L. Kanan of Denver, Colorado, to serve as a public member, appointed;

for terms expiring July 1, 2008:

Candace E. Berardinelli of Littleton, Colorado, to serve as a representative of nursing education, appointed;

Victoria L. Broerman of Colorado Springs, Colorado, to serve as a hospital staff nurse, appointed;

Toni Lu-Rae Gibbons of Highlands Ranch, Colorado, to serve as a licensed practical nurse, appointed.

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
70

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

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

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

for terms expiring January 31, 2009:

Garrett M. Clemons of Denver, Colorado, to serve as a member with scientific experience and as a Republican, appointed.

James B. Martin of Longmont, Colorado, to serve as a member with legal experience and as a Democrat, reappointed;

Thorvald A. Nelson of Aurora, Colorado, to fill the vacancy occasioned by the resignation of Paul R. Tourangeau of Denver, Colorado, and to serve as a member with technical experience and as a Democrat, appointed.

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

On motion of Senator Boyd, the following Governor's appointment was confirmed by a roll call vote:

MEMBERS OF THE
COLORADO CHILDREN'S TRUST FUND BOARD

for terms expiring November 7, 2008:

Jane Morrison of Denver, Colorado, to serve as a member with knowledge of child abuse prevention, appointed.

Thomas H. McMillen of Golden, Colorado, to serve as a member with knowledge of child abuse prevention and law, reappointed;

Carrie H. Nolan of Denver, Colorado, to serve as a parent representative, reappointed;

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

On motion of Senator Windels, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
BOARD OF TRUSTEES FOR
WESTERN STATE COLLEGE OF COLORADO

for terms expiring January 1, 2010:

Peter F. Kirchhof of Aurora, Colorado, reappointed.

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

On motion of Senator Windels, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
COLORADO SCHOOL OF MINES, BOARD OF TRUSTEES

for a term expiring March 23, 2010:

Michael S. Nyikos of Grand Junction, Colorado, to serve as a non-graduate, reappointed.

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

On motion of Senator Windels, the following Governor's appointment was confirmed by a roll call vote:

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.

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

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

**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.

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

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

**MEMBERS OF THE
STATE ELECTRICAL BOARD**

for terms expiring July 1, 2008:

Loren R. Priest of Parker, Colorado, to serve as a representative of the public at large, appointed;

Jeffrey L. Pagnard of Highlands Ranch, Colorado, to serve as a building official from a political subdivision of the state performing electrical inspections, reappointed;

Terry L. Schneider of Colorado Springs, Colorado, to serve as a journeyman electrician, appointed;

Douglas J. Tamminga of Bailey, Colorado, to serve as a general contractor actively engaged in the building industry, reappointed;

Richard D. Brinkley of Glenwood Springs, Colorado, to serve as a private, municipal, or cooperative electric utilities rendering electric service to the ultimate electrical inspections, reappointed;

Clifford L. Rediger of Arvada, Colorado, to serve as a master electrician, appointed.

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

On motion of Senator Tochtrop, the following Governor's appointment was confirmed by a roll call vote:

EXECUTIVE DIRECTOR
OF THE
DEPARTMENT OF LABOR AND EMPLOYMENT

effective June 1, 2005, for a term expiring at the pleasure of the Governor:

Rick Grice of Golden, Colorado, to fill the vacancy occasioned by the resignation of Leroy J. Williams of Aurora, Colorado, appointed.

YES	33	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	*
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

On motion of Senator Tochtrop, the following Governor's appointment was confirmed by a roll call vote:

BOARD OF DIRECTORS OF DENVER METROPOLITAN
MAJOR LEAGUE STADIUM DISTRICT

for terms expiring August 1, 2009:

John H. Card of Centennial, Colorado, appointed.

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

On motion of Senator Tochtrop, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
WORKERS' COMPENSATION COST
CONTAINMENT BOARD

for a term expiring December 13, 2008:

Henry A. Hahne of Colorado Springs, Colorado, to serve as an executive with risk management experience in the insurance industry, reappointed.

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

On motion of Senator Tupa, the following Governor's appointment was confirmed by a roll call vote:

OFFICE OF
SECRETARY OF STATE
OF THE STATE OF COLORADO

for a term expiring January 8, 2007:

Ginette Dennis, to fill the vacancy occasioned by the resignation of Donetta Davidson.

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

On motion of Senator Hagedorn, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
UNIVERSITY OF COLORADO HOSPITAL AUTHORITY BOARD

for a term effective November 1, 2005:

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

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

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.

CONSIDERATION OF RESOLUTIONS

HJR06-1016 by Representative(s) Schultheis, Lundberg, May M., McCluskey; also Senator(s) Wiens, Spence--Concerning the individual interests of members of the general assembly in pending legislation.

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

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

SR06-010 by Senator(s) Wiens, Jones, Kester, Spence, Taylor, Teck; --Concerning the potential for economic development across Colorado through the cultivation of heritage tourism, and, in connection therewith, the preservation and stewardship of mines and mining history in the state.

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

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

Co-sponsors added: Boyd, Entz, Isgar, Sandoval and Tochtrop.

HJR06-1023 by Representative(s) Madden, Borodkin, Carroll T., Coleman, Jahn, Marshall, Larson, Massey, Romanoff, Witwer; also Senator(s) Grossman, Groff--Concerning the Colorado general assembly's endorsement of the Western Governors' Association policy resolution on United States - Mexico border security and illegal immigration.

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

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

Co-sponsors added: Entz, Fitz-Gerald, Isgar, Taylor, Teck, Tochtrop and Tupa.

HJR06-1024 by Representative(s) McCluskey, Balmer, Cadman, Carroll M., Jahn, Larson, Liston, Penry, Witwer; also Senator(s) Veiga, Boyd, Kester, Owen, Tochtrop, Wiens--Concerning opposition to federal preemption of the regulation of insurance.

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

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

HJR06-1025 by Representative(s) Decker, Cerbo, Cloer, Lindstrom; also Senator(s) Tapia--Concerning sleep disorders, and, in connection therewith, encouraging persons with sleep difficulties to seek diagnosis and treatment.

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

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
70

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

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

CONSIDERATION OF RESOLUTIONS

HJR06-1022 by Representative(s) Solano, Curry, Gallegos, Hodge, Madden, McFadyen, Rose, Benefield, Larson, Liston, McCluskey, McGihon, Penry, Todd, Vigil, Weissmann, Witwer; also Senator(s) Tochtrop, Groff, Grossman--Concerning the recovery of lynx in Colorado, and, in connection therewith, urging the adoption of a lynx recovery plan by the United States Fish and Wildlife Service.

On motion of Senator Tochtrop, the resolution 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	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	N	Teck	Y		

HJR06-1031 by Representative(s) McGihon; also Senator(s) Hagedorn--Concerning recognition of World Ostomy Day on October 7, 2006.

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

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

HJR06-1036 by Representative(s) Jahn, Gallegos, Cloer, Kerr J.; also Senator(s) Gordon, Fitz-Gerald, McElhany--Concerning the retention of officers and employees of the Second Regular Session of the Sixty-fifth General Assembly.

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

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

SR06-012 by Senator(s) Grossman; --Concerning changes to the Senate Rules relating to ethics.

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

Third Reading Amendment No. 1(L.001), by Senator Grossman.

Amend printed resolution, page 2, strike lines 3 through 22.

The amendment was declared **adopted** on the following roll call vote:

YES	21	NO	10	EXCUSED	4	ABSENT	0
Bacon	N	Hagedorn	N	Mitchell	Y	Tochtrop	Y
Boyd	N	Isgar	N	Owen	Y	Traylor	Y
Brophy	Y	Johnson	E	Sandoval	Y	Tupa	N
Dyer	Y	Jones	Y	Shaffer	N	Veiga	Y
Entz	Y	Keller	E	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	E	Williams	N
Gordon	N	Lamborn	Y	Tapia	Y	Windels	N
Groff	N	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

As amended, laid over until later in the day, Monday, May 8, retaining its place on the calendar.

Senate in recess. Senate reconvened.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

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

Senator Tochtrop moved that the Senate not concur in House amendments to **SB06-227**, as printed in House Journal, May 4, page 1779, and that a Conference Committee be appointed.

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

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

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Tochtrop, Chairman, Shaffer, and Johnson as Senate Conferees on the First Conference Committee on **SB06-227**.

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

SENATE ADHERE ON SCR06-001

SCR06-001 by Senator(s) Evans; also Representative(s) Gallegos--Submitting to the registered electors of the state of Colorado an amendment to section 3.5 of article X of the constitution of the state of Colorado, concerning the extension of the existing property tax exemption for qualifying seniors to any United States military veteran who is one hundred percent permanently disabled due to a service-connected disability, and, in connection therewith, authorizing the state to retain and spend excess state revenues above the statutory excess state revenues cap in an amount equal to the amount paid annually by the state to compensate each local governmental entity that receives property tax revenues for the net amount of property tax revenues lost as a result of the property tax exemption for qualifying seniors and disabled veterans.

Senator Evans moved that the Senate not concur in House amendments to **SCR06-001**, as printed in House Journal, May 1, page 1601, and that the Senate adhere to its position on **SCR06-001**. The motion was declared **adopted** by the following roll call vote:

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

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON SB06-036

 THIS REPORT AMENDS THE
 REREVISED BILL

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

Your first conference committee appointed on SB06-036, concerning the types of health benefit plans required to be offered by small employer carriers to small employers in the state, has met and reports that it has agreed upon the following:

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

Amend rerevised bill, page 3, line 17, strike "OF THE" and substitute "OF A";

line 18, strike "FOLLOWING NEW SUBSECTIONS," and substitute "NEW SUBSECTION,".

Page 4, line 1, strike "plans and IS" and substitute "plans. and A BASIC HEALTH BENEFIT PLAN MAY BE";

line 17, strike "(12) AND THAT" and substitute "(12);";

strike lines 18 and 19;

line 22, strike "223 ~~except that~~ AND INCLUDES A" and substitute "223. ~~except that~~";

strike line 23.

Page 5, strike lines 7 and 8 and substitute the following:

"pursuant to 26 U.S.C. sec. 223. ~~except that~~ A carrier may";

strike lines 14 through 21 and substitute the following:

"(IV) ON AND AFTER JANUARY 1, 2008, A BASIC HEALTH BENEFIT PLAN MAY REFLECT A MEDICAL EVIDENCE-BASED HEALTH BENEFIT PLAN THAT:";

line 22, strike "(a)" and substitute "(A)";

line 24, strike "(b)" and substitute "(B)";

line 26, strike "(c)" and substitute "(C)".

Page 6, strike lines 10 and 11;

line 12, strike "(e)" and substitute "(D)";

line 13, strike "(f)" and substitute "(E)";

line 15, strike "(g)" and substitute "(F)";

line 24, strike "SUBSECTION (7.8)" and substitute "SUBPARAGRAPH (IV) OF PARAGRAPH (b) OF SUBSECTION (7.2)".

Page 7, line 24, strike "(7.8)." and substitute "(7.2) (b) (IV).".

Page 10, line 14, strike "(7.8)," and substitute "(7.2) (b) (IV),".

Respectfully submitted,

Senate Committee:
(signed)
Senator Hagedorn, Chair
Senator Takis
Senator Johnson

House Committee:
(signed)
Representative Marshall, Chair
Representative Berens
Representative Weissmann

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB06-1380

THIS REPORT AMENDS THE
REREVISED BILL

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

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
70
71

Your first conference committee appointed on HB06-1380, concerning the development of measures to reduce the theft of retail goods, has met and reports that it has agreed upon the following:

- 1. That the House accede to the Senate amendments made to the bill, as the amendments appear in the rerevised bill.
- 2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Amend rerevised bill, page 5, line 16, strike "THE FOLLOWING";

strike lines 17 and 18 and substitute the following:

"MEMBERS TO BE APPOINTED AS FOLLOWS:";

line 20, strike "SHERIFFS;" and substitute "SHERIFFS TO BE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;";

line 22, strike "POLICE;" and substitute "POLICE TO BE APPOINTED BY THE PRESIDENT OF THE SENATE;";

line 24, strike "COMMISSIONERS;" and substitute "COMMISSIONERS TO BE APPOINTED BY THE GOVERNOR;";

line 26, strike "PERSONS;" and substitute "PERSONS TO BE APPOINTED BY THE GOVERNOR;".

Page 6, line 1, strike "ATTORNEYS;" and substitute "ATTORNEYS TO BE APPOINTED BY THE PRESIDENT OF THE SENATE;";

line 3, strike "COLORADO." and substitute "COLORADO, TWO OF WHOM SHALL BE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, ONE OF WHOM SHALL BE APPOINTED BY THE PRESIDENT OF THE SENATE, AND ONE OF WHOM SHALL BE APPOINTED BY THE GOVERNOR.";

line 8, after "SHALL", insert "JOINTLY AGREE ON AND".

Respectfully submitted,

House Committee:
 (signed)
 Representative Reisberg, Chair
 Representative Weissmann
 Representative Witwer

Senate Committee:
 (signed)
 Senator Veiga, Chair
 Senator Boyd
 Senator Kester

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB06-198

 THIS REPORT AMENDS THE
 REREVISED BILL

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

Your first conference committee appointed on SB06-198, concerning contractual agreements with health care providers to provide health care services, has met and reports that it has agreed upon the following:

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

Amend rerevised bill, page 4, strike lines 16 through 20.

Renumber succeeding subparagraphs accordingly.

Page 11, strike lines 4 through 14 and substitute the following:

"(18) DISPUTES AMONG PARTIES CONCERNING THE ENFORCEMENT OF THIS SECTION SHALL BE SUBJECT TO A MUTUALLY AGREED UPON ARBITRATION MECHANISM, WHICH SHALL BE BINDING ON ALL PARTIES. IF THE HEALTH CARE PROVIDER IS THE PREVAILING PARTY IN THE ARBITRATION, THE HEALTH CARE PROVIDER SHALL BE AWARDED AND LIMITED TO REASONABLE ATTORNEY FEES AND COSTS FOR ARBITRATION RELATING TO THE ENFORCEMENT OF THIS SECTION. THE LIMITATION TO REASONABLE ATTORNEY FEES AND COSTS SHALL NOT APPLY TO DISPUTES REGARDING BREACH OF CONTRACT.

(19) NO PROVISION OF THIS SECTION SHALL BE USED TO JUSTIFY ANY ACT OR OMISSION BY A HEALTH CARE PROVIDER THAT IS PROHIBITED BY ANY APPLICABLE PROFESSIONAL CODE OF ETHICS OR STATE OR FEDERAL LAW PROHIBITING DISCRIMINATION AGAINST ANY PERSON."

Respectfully submitted,

Senate Committee:
(signed)
Senator Johnson, Chair
Senator Boyd
Senator Hagedorn

House Committee:
(signed)
Representative Romanoff, Chair
Representative Penry
Representative McGihon

Health &
Human
Services

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

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF PUBLIC HEALTH
AND ENVIRONMENT

for a term expiring at the pleasure of the Governor:

Dennis E. Ellis of Arvada, Colorado

MESSAGE FROM THE HOUSE

May 8, 2006

Madame President:

The House has adopted and returns herewith SJR06-019, SJR06-020, SJR06-033, SJR06-035, SJR06-039, SJR06-041, SJR06-029, SJR06-036, SJR06-040, SJR06-043.

The House has adopted and returns herewith SJR06-050, amended as printed in House Journal, May 8.

The House has adopted and returns herewith SJM06-003, SJM06-004.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SCR06-002, amended as printed in House Journal, May 5, page 1814, and amended on Third Reading as printed in House Journal, May 8.

The House has adopted the First Report of the First Conference Committee on SB06-080, as printed in House Journal, May 4, pages 1743-1744, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on SB06-224, as printed in House Journal, May 4, page 1744, and has repassed the bill as so amended.

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

The bill is returned herewith.

The House has voted to reject the First Report of the First Conference Committee on SB06-051, and requests the Conferees be discharged and that a second Conference Committee be appointed. The House has granted authorization to go beyond the scope of differences. The bill is returned herewith.

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

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Hagedorn, the following Governor's appointment was confirmed by a roll call vote:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF PUBLIC HEALTH
AND ENVIRONMENT

for a term expiring at the pleasure of the Governor:

Dennis E. Ellis of Arvada, Colorado

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

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

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB06-1380 by Representative(s) Riesberg; also Senator(s) Veiga--Concerning the development of measures to reduce the theft of retail goods.

Senator Veiga moved for the adoption of the First Report of the First Conference Committee on **HB06-1380**, as printed in Senate Journal, May 8, pages 1338-1339. 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	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

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

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

SB06-080

by Senator(s) Tochtrop; also Representative(s) Soper--Concerning the creation of the support the troops special license plate for motor vehicles, and making an appropriation therefor.

Senator Tochtrop moved for the adoption of the First Report of the First Conference Committee on **SB06-080**, as printed in Senate Journal, May 4, page 1221. 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	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

YES	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	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	N		

Co-sponsors added: Sandoval.

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

SB06-224

by Senator(s) Traylor, Grossman, Tupa; also Representative(s) Harvey, Carroll T.-- Concerning event data recorded as a motor vehicle feature.

Senator Traylor moved for the adoption of the First Report of the First Conference Committee on **SB06-224**, as printed in Senate Journal, May 4, page 1240. 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	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

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

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

Co-sponsors added: Isgar.

COMMITTEE OF REFERENCE REPORTS

Education

After consideration on the merits, the Committee recommends that **HB06-1403** be postponed indefinitely.

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON HB06-1397

THIS REPORT AMENDS THE REREVISED BILL

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

Your first conference committee appointed on HB06-1397, concerning the creation of a statewide system of early childhood councils, and making an appropriation therefor, has met and reports that it has agreed upon the following:

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

Amend rerevised bill, page 12, after line 23, insert the following:

"(h) TO ASSIGN, IN ACCORDANCE WITH RULES ADOPTED PURSUANT TO SECTION 22-7-603.5 (4), C.R.S., A UNIQUE STUDENT IDENTIFIER TO EACH CHILD THREE YEARS OF AGE OR OLDER WHO PARTICIPATES IN AN EARLY CHILDHOOD PROGRAM THAT RECEIVES FUNDING THROUGH THE LOCAL EARLY CHILDHOOD COUNCIL."

Page 21, line 8, strike "2008," and substitute "2007,";

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 18, strike "2007," and substitute "2006,";

line 23, strike "2008," and substitute "2007,".

Page 24, line 16, strike "seven hundred thousand dollars (\$700,000)," and substitute "two million dollars (\$2,000,000),".

Respectfully submitted,

House Committee:
(signed)
Representative Solano, Chair
Representative Paccione

Senate Committee:
(signed)
Senator Shaffer, Chair
Senator Williams

MESSAGE FROM THE HOUSE

May 8, 2006

Madame President:

The House has voted not to concur in Senate amendments and to adhere to its position on SB06-138. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on SB06-047, as printed in House Journal, May 5, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on HB06-1337, as printed in House Journal, May 5, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB06-1386, as printed in House Journal, May 5, and has repassed the bill as amended.

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

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

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

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

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

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

YES	24	NO	10	EXCUSED	1	ABSENT	0	
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y	1
Boyd	Y	Isgar	Y	Owen	Y	Traylor	N	2
Brophy	Y	Johnson	N	Sandoval	Y	Tupa	Y	3
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y	4
Entz	Y	Keller	Y	Spence	N	Wiens	Y	5
Evans	Y	Kester	Y	Takis	Y	Williams	Y	6
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y	7
Groff	Y	May R.	E	Taylor	N	President	Y	8
Grossman	Y	McElhany	N	Teck	N			9

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

Co-sponsors added: Grossman and Sandoval.

SB06-047 by Senator(s) Hanna, Hagedorn, Shaffer, Keller; 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 for the adoption of the First Report of the First Conference Committee on **SB06-047**, as printed in Senate Journal, May 5, pages 1297-1298. 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	27
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y	28
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y	29
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y	30
Entz	Y	Keller	Y	Spence	Y	Wiens	Y	31
Evans	Y	Kester	Y	Takis	Y	Williams	Y	32
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y	33
Groff	Y	May R.	E	Taylor	Y	President	Y	34
Grossman	Y	McElhany	Y	Teck	Y			35

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

YES	19	NO	15	EXCUSED	1	ABSENT	0	
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y	41
Boyd	Y	Isgar	Y	Owen	N	Traylor	N	42
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y	43
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y	44
Entz	Y	Keller	Y	Spence	N	Wiens	N	45
Evans	N	Kester	N	Takis	Y	Williams	Y	46
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y	47
Groff	Y	May R.	E	Taylor	N	President	Y	48
Grossman	Y	McElhany	N	Teck	N			49

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

Co-sponsors added: Bacon, Boyd, Tapia, Tochtrop and Williams.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB06-051 by Senator(s) Tupa; also Representative(s) Weissmann--Concerning benefits that may be accepted by certain public officials, and, in connection therewith, prohibiting certain public officials from accepting monetary gifts.

Senator Tupa moved that the First Conference Committee on SB06-051 be dissolved, that the Senate Conferees be discharged and that a Second Conference Committee be appointed.

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

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

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Tupa, Chairman, Groff, and Mitchell as Senate Conferees on the Second Conference Committee on **SB06-051**.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

COMMITTEE OF REFERENCE REPORTS

FIRST REPORT OF SECOND CONFERENCE COMMITTEE ON HB06-1257

THIS REPORT AMENDS THE
REREVISED BILL

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

Your second conference committee appointed on HB06-1257, concerning noise mitigation measures along state highways, and making an appropriation therefor, has met and reports that it has agreed upon the following:

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

Amend rerevised bill, page 4, line 18, strike "HIGHWAYS," and substitute "HIGHWAYS AS PRIORITIZED BY THE DEPARTMENT OF TRANSPORTATION PURSUANT TO SECTION 43-2-402 (5) (b), C.R.S.,";

strike lines 24 through 27.

Page 5, strike lines 1 through 4;

line 19, strike "AND";

after line 19, insert the following:

"(b) EXISTED AS A RESIDENTIAL AREA BEFORE THE STATE HIGHWAY WAS CONSTRUCTED OR WIDENED; AND".

Reletter succeeding paragraph accordingly.

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 7, line 22, strike "AVAILABLE";

strike lines 23 and 24 and substitute the following:

"MONEYS PROVIDED BY LOCAL GOVERNMENTS AND";

line 25, strike "DEPARTMENT MAY USE".

Page 8, line 3, strike "PARTLY FUNDED BY LOCAL GOVERNMENTS";

line 5, strike "AVAILABLE", and after "MONEYS", insert "PROVIDED BY LOCAL GOVERNMENTS OR DISTRIBUTED TO THE DEPARTMENT PURSUANT TO SECTION 24-32-114 (1) (b), C.R.S.,".

Respectfully submitted,

House Committee:
(signed)
Representative Green, Chair
Representative Solano
Representative Hefley

Senate Committee:
(signed)
Senator Keller, Chair
Senator Takis
Senator Johnson

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB06-227

THIS REPORT AMENDS THE
REREVISED BILL

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

Your first conference committee appointed on SB06-227,
concerning reporting requirements regarding the payment of health care
costs, and making an appropriation therefor, has met and reports that it
has agreed upon the following:

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

Amend rerevised bill, page 3, strike lines 1 through 4 and substitute the
following:

"THE PERSON HAVING CONTROL OF THE PAYMENT OF WAGES.".

Respectfully submitted,

Senate Committee:
(signed)
Senator Tochtrop, Chair
Senator Shaffer
Senator Johnson

House Committee:
(signed)
Representative Solano, Chair
Representative Massey
Representative Soper

MESSAGE FROM THE HOUSE

May 8, 2006
Madame President:

In response to the request of the Senate, the Speaker has appointed Representatives
Solano, chairman, Massey, and Soper as House conferees on the First Conference
Committee on SB06-227.

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

The Speaker has appointed Representatives Weissmann, chairman, Larson, and T. Carroll as House conferees on the Second Conference Committee on SB06-051.

The House has voted to recede from its position on SB06-067 and repassed the bill amended. The bill is returned herewith.

In response to the request from the Senate, SB06-131 is returned herewith.

The House has voted to adhere to its position on SB06-059. The bill is returned herewith.

The House has adopted and returns herewith SJR06-044, amended as printed in House Journal, May 8.

The House has adopted the First Report of the First Conference Committee on SB06-036, as printed in House Journal, May 8, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on HB06-1314, as printed in House Journal, May 8, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB06-1006, as printed in House Journal, May 8, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB06-1169, as printed in House Journal, May 8, and has repassed the bill as amended.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR06-028, 031, 034, 037, 046, 047, 049, 053, and 054.
The President has signed: SR06-009 and 011.

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.

CONSIDERATION OF RESOLUTIONS

SR06-012 by Senator(s) Grossman; --Concerning changes to the Senate Rules relating to ethics.

(Amended as printed in Senate Journal, May 8, page 1336.)

Amendment No. 2(L.003), by Senators Brophy and Grossman.

Amend printed resolution, page 2, line 43, strike "SHALL," and substitute "IS ENCOURAGED TO,"

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

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	N	Wiens	Y
Evans	Y	Kester	Y	Takis	N	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

Co-sponsors added: Bacon, Evans, Gordon, Groff, Tapia, Teck, Tupa, Veiga, Williams and Windels.

HJR06-1034 by Representative(s) Paccione; also Senator(s) Gordon--Concerning a request to the United States Senate to pass the "Stem Cell Research Enhancement Act of 2005".

Call of the Senate. Call raised.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	N
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	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	N		

Co-sponsors added: Bacon, Fitz-Gerald, Grossman, Sandoval, Shaffer, Tupa, Veiga, Williams and Windels.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Memorials -- HJM06-1002.

CONSIDERATION OF MEMORIALS

HJM06-1002 by Representative(s) Hall; also Senator(s) Owen--Concerning memorializing former senator Roy H. Shore.

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

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

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

COMMITTEE OF REFERENCE REPORTS

FIRST MAJORITY REPORT OF SECOND CONFERENCE
COMMITTEE ON SB06-051

 THIS REPORT AMENDS THE
 REREVISED BILL

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

Your second conference committee appointed on SB06-051,
 concerning benefits that may be accepted by certain public officials, and,
 in connection therewith, prohibiting certain public officials from
 accepting monetary gifts, has met, and a majority thereof reports that it
 has agreed upon the following:

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

Amend rerevised bill, page 2, line 13, strike "(3) (d),".

Page 3, strike line 27.

Page 4, strike lines 9 and 10 and substitute the following:

"DUTIES UNDERTAKEN BY THE INCUMBENT OR ELECTED CANDIDATE; OR";

line 17, after "LIMITATION,", insert "PAYMENT FOR A SPEECH,
 APPEARANCE, OR PUBLICATION OR".

Respectfully submitted,

Senate Committee:
 (signed)
 Senator Tupa, Chair
 Senator Groff

House Committee:
 (signed)
 Representative Weissmann, Chair
 Representative T. Carroll

MESSAGE FROM THE HOUSE

May 8, 2006
 Madame President:

The House has adopted and returns herewith SJR06-051.

The House has adopted the First Report of the First Conference Committee on HB06-1380, as printed in House Journal, May 8, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on SB06-198, as printed in House Journal, May 8, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on SB06-206, as printed in House Journal, May 8, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on SB06-230, as printed in House Journal, May 8, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on SB06-227, as printed in House Journal, May 8, and has repassed the bill as so amended. The bill is returned herewith.

The House has voted to concur in the Senate amendments to HB06-1391, 1158, 1382, 1404, and has repassed the bills so amended.

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

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

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

Senator Keller moved for the adoption of the First Report of the Second Conference Committee on **HB06-1257**, as printed in Senate Journal, May 8, pages 1346-1347. The motion was **adopted** by the following roll call vote:

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

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

YES	26	NO	9	EXCUSED	0	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	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	N	Wiens	Y
Evans	Y	Kester	N	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, as amended, was declared **repassed**.

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

Senator Shaffer moved for the adoption of the First Report of the First Conference Committee on **HB06-1397**, as printed in Senate Journal, May 8, pages 1343-1344. The motion was **adopted** by the following roll call vote:

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

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

YES	18	NO	17	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	N
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	N	Keller	Y	Spence	N	Wiens	N
Evans	N	Kester	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, as amended, was declared **repassed**.

SB06-036 by Senator(s) Hagedorn; also Representative(s) Marshall--Concerning the types of health benefit plans required to be offered by small employer carriers to small employers in the state.

Senator Hagedorn moved for the adoption of the First Report of the First Conference Committee on **SB06-036**, as printed in Senate Journal, May 8, pages 1337-1338. The motion was **adopted** by the following roll call vote:

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

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

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

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

Co-sponsors added: Boyd.

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

Senator Johnson moved for the adoption of the First Report of the First Conference Committee on **SB06-198**, as printed in Senate Journal, May 8, pages 1339-1340. The motion was **adopted** by the following roll call vote:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	N
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	N
Grossman	N	McElhany	Y	Teck	Y		

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

YES	31	NO	4	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	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, as amended, was declared **repassed**.

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

Senator Groff moved for the adoption of the First Report of the First Conference Committee on **SB06-206**, as printed in Senate Journal, May 8, page 1311. The motion was **adopted** by the following roll call vote:

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

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

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

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

Co-sponsors added: May R.

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

Senator Boyd moved for the adoption of the First Report of the First Conference Committee on **SB06-230**, as printed in Senate Journal, May 8, pages 1324-1325. The motion was **adopted** by the following roll call vote:

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

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

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

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

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

Senator Tochtrop moved for the adoption of the First Report of the First Conference Committee on **SB06-227**, as printed in Senate Journal, May 8, page 1347. The motion was **adopted** by the following roll call vote:

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

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

YES	18	NO	17	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	N
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	N	Keller	Y	Spence	N	Wiens	N
Evans	N	Kester	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, as amended, was declared **repassed**.

Co-sponsors added: Bacon, Shaffer, Tapia and Windels.

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

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

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

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

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

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

Co-sponsors added: Evans and Tochtrop.

MESSAGE FROM THE REVISOR OF STATUTES

May 8, 2006

We herewith transmit:

Without comment, as amended, SCR06-002.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SCR06-002 by Senator(s) Owen; also Representative(s) Coleman--Submitting to the registered electors of the state of Colorado amendments to articles XVII, XVIII, XX, XXIV, and XXVI of the constitution of the state of Colorado, concerning the elimination of obsolete provisions of the state constitution.

Senator Owen moved that the Senate concur in House amendments to **SCR06-002**, as printed in House Journal, May 5, page 1819 and May 8. The motion was **passed** by the following roll call vote:

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

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

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

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

Co-sponsors added: Taylor.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB06-1358** be postponed indefinitely.

MESSAGE FROM THE HOUSE

May 8, 2006
Madame President:

The Veto over-ride failed on HB06-1385, 1193.
The House has adopted the First Report of the Second Conference Committee on SB06-051, as printed in House Journal, May 8, and has repassed the bill as so amended. The bill is returned herewith.

The House has voted to recede from its position, dissolve the First Conference Committee on HB06-1121, and concur in Senate amendments, and has repassed the bill. The House requests return of the bill.

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

May 8, 2006

Madame President:

The House has adopted the First Report of the First Conference Committee on HB06-1257, as printed in House Journal, May 8, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB06-1397, as printed in House Journal, May 8, and has repassed the bill as amended.

The House has adopted and returns herewith SJR06-052, the Speaker has appointed Representatives Coleman, Ragsdale and Hefley as House members on the joint committee to notify the Governor of adjournment sine die.

The House has adopted and transmits herewith HJR06-1038.

The House voted to adhere to its position on SB06-072. The bill is transmitted herewith.

The House has adopted and returns herewith SJR06-050, amended as printed in House Journal, May 8.

May 8, 2006

Madame President:

The House has voted to recede from its position on SCR06-001 and has repassed the bill.

The House has adopted and returns herewith SJR06-015, SJR06-032, SJR06-052 SJR05-045, SJR05-038.

May 8, 2006

Madame President:

In response to the request from the Senate, SB06-179 is returned herewith.

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 Joint Resolutions.

**CONSIDERATION OF HOUSE AMENDMENTS TO
SENATE JOINT RESOLUTIONS**

SJR06-050 by Senator(s) Fitz-Gerald; also Representative(s) Cloer, Benefield, Berens, Borodkin, Cadman, Carroll M., Clapp, Gallegos, Garcia, Gardner, Hodge, Hoppe, Jahn, Judd, Kerr J., Larson, Lindstrom, Lundberg, Marshall, Rose, Solano, Stafford, Stengel, Sullivan, Todd, Welker--Concerning the recognition of the military personnel from Colorado who are serving in Operation Iraqi Freedom and honoring those who have died while serving in Operation Iraqi Freedom.

Senator Fitz-Gerald moved that the Senate concur in House amendments to SJR06-050, as printed in House Journal, May 8. The motion was adopted by the following roll call vote:

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

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

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

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

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB06-051 by Senator(s) Tupa; also Representative(s) Weissmann--Concerning benefits that may be accepted by certain public officials, and, in connection therewith, prohibiting certain public officials from accepting monetary gifts.

Senator Tupa moved for the adoption of the First Report of the First Conference Committee on **SB06-051**, as printed in Senate Journal, May 8, pages 1349-1350. The motion was **adopted** by the following roll call vote:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	N	Wiens	N
Evans	N	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	N	President	Y
Grossman	Y	McElhany	N	Teck	N		

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

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	N	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	N	Owen	Y	Traylor	N
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	N	Wiens	N
Evans	N	Kester	Y	Takis	N	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, as amended, was declared **repassed**.

REVERSAL OF VOTE ON SB06-051

SB06-051 by Senator(s) Tupa; also Representative(s) Weissmann--Concerning benefits that may be accepted by certain public officials, and, in connection therewith, prohibiting certain public officials from accepting monetary gifts.

Having voted on the prevailing side, Senator Tupa moved for immediate reconsideration and reversal of the vote on **SB06-051**. The roll call was taken with the following result:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Bacon	N	Hagedorn	Y	Mitchell	Y	Tochtrop	N
Boyd	N	Isgar	Y	Owen	N	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	N	Tupa	N
Dyer	Y	Jones	N	Shaffer	N	Veiga	N
Entz	N	Keller	N	Spence	Y	Wiens	Y
Evans	Y	Kester	N	Takis	Y	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		

SENATE ADHERE ON SB06-072

SB06-072 by Senator(s) Tochtrop; also Representative(s) Harvey--Concerning increasing penalties for careless driving.

Senator Tochtrop moved that the Conference Committee be dissolved and that the Senate Conferees be discharged and that the Senate adhere to its position on **SB06-072**. The motion was declared **adopted** by the following roll call vote:

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

CONSIDERATION OF HOUSE AMENDMENTS TO
SENATE JOINT RESOLUTIONS

SJR06-044 by Senator(s) Boyd, Shaffer; also Representative(s) Madden--Concerning the 90th anniversary of Planned Parenthood of the Rocky Mountains.

Senator Boyd moved that the Senate concur in House amendments to SJR06-044, as printed in House Journal, May 8. The motion was adopted by the following roll call vote:

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

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

YES	23	NO	12	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	Y
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	N
Evans	N	Kester	N	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		

Co-sponsors added: Hagedorn.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR06-1038 by Representative(s) Madden, Romanoff, May M.; also Senator(s) Gordon, Fitz-Gerald, McElhany--Concerning the adjournment sine die of the Second Regular Session of the Sixty-fifth General Assembly.

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

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

Co-sponsors added: Grossman and Teck.

TRIBUTES

Honoring:

- Amanda Jones -- by Senator Kester.
- Dr. & Mrs. John U. Trefny -- by Senator Fitz-Gerald.
- Staff Sergeant Gavin Reinke -- by Senator Tapia & Senator Kester.
- Sean Turley -- by Senator Isgar.
- Nicholas Ackerman -- by Senator Isgar.
- Michael Hackett -- by Senator Entz.
- The Faculty, Staff, and Students of Northridge High School -- by Senator Owen.
- Kelly Gonzales -- by Senator Owen.

On motion of Senator Gordon, and with the unanimous consent of those elected to the Senate having voted in the affirmative, the Second Regular Session of the Sixty-fifth General Assembly adjourned *sine die* at 11:24 p.m., Monday, May 8, 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
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