

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

---

99th Legislative Day Wednesday, April 19, 2006

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- Prayer 10  
By the chaplain, Rev. Paul Spurlock, St. Thomas Episcopal Church, Denver. 11
- Pledge 12  
By Senator Shaffer. 13
- Call to 14  
Order 15  
By the President at 9:00 a.m. 16
- Roll Call 17  
Present--29. 18  
Absent--1; Wiens. 19  
Excused--5; Keller, Mitchell, Tapia, Veiga, Williams. 20  
Present later--Keller, Mitchell, Tapia, Veiga, Wiens, Williams. 21
- Quorum 22  
The President announced a quorum present. 23
- Reading of 24  
Journal 25  
On motion of Senator Boyd, reading of the Journal of April 18, 2006 was 26  
dispensed with and the Journal was approved as corrected by the Secretary. 27

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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 -- HJR06-1021, SJR06-028, SJR06-020.

**CONSIDERATION OF RESOLUTIONS**

**HJR06-1021** by Representative(s) Rose, Berens, Clapp, Curry, Gallegos, Gardner, Hall, Harvey, Hefley, Hodge, Hoppe, Knoedler, Larson, Penry, Solano, Sullivan, White; also Senator(s) Isgar, Taylor, Brophy, Entz, Fitz-Gerald, Gordon, Kester, May R., Teck, Traylor, Wiens-- Concerning the commendation of the Forestry Advisory Board and the Division of Forestry, and, in connection therewith, urging increased and equitable federal funding for forest management, fuels treatment, and insect and disease response in Colorado.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	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		

Co-sponsors added: Bacon, Boyd, Dyer, Evans, Groff, Grossman, Hagedorn, Johnson, Jones, Keller, Lamborn, McElhany, Owen, Sandoval, Shaffer, Spence, Takis, Tapia, Tochtrop, Tupa, Veiga, Williams and Windels.

**SJR06-028** by Senator(s) Spence; also Representative(s) Clapp--Concerning the 50th anniversary of the 1956 Hungarian Revolution for freedom and democracy.

On motion of Senator Spence, the resolution 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, Owen, Sandoval, Shaffer, Takis, Tapia, Taylor, Teck, Tochtrop, Traylor, Tupa, Veiga, Wiens, Williams and Windels.

**SJR06-020** by Senator(s) Evans, Windels, Bacon, Jones, Spence, Tupa, Williams; also Representative(s) Merrifield, King, Penry, White--Concerning honoring former Colorado Commissioner of Education Calvin M. Frazier.

On motion of Senator Evans, the resolution 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: Boyd, Brophy, Dyer, Entz, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Isgar, Johnson, Keller, Kester, Lamborn, May R., McElhany, Mitchell, Owen, Sandoval, Shaffer, Takis, Tapia, Taylor, Teck, Tochtrop, Traylor, Veiga and Wiens.

**COMMITTEE OF REFERENCE REPORTS**

State,  
Veterans, &  
Military  
Affairs

After consideration on the merits, the Committee recommends that **SB06-169** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

- Amend printed bill, page 3, line 5, strike "slum" and substitute "~~slum~~";
- line 6, after "~~which~~", insert "OF IMPROVEMENT";
- line 14, strike "slums" and substitute "~~slums~~";
- line 15, after "~~blight~~", insert "CONDITIONS SUPPORTING A DETERMINATION THAT A PARTICULAR AREA CONSTITUTES AN AREA OF IMPROVEMENT".
- Page 4, line 6, strike "slum" and substitute "~~slum~~" and, strike "areas," and substitute "areas OF IMPROVEMENT,";
- line 13, strike "slum" and substitute "~~slum~~";
- line 14, after "areas", insert "OF IMPROVEMENT";
- line 17, before "(2),", insert "(1),";
- line 20, strike "A NEW SUBSECTION," and substitute "THE FOLLOWING NEW SUBSECTIONS,";
- after line 22, insert the following:

"(1) "AREA OF IMPROVEMENT" MEANS AN AREA IN WHICH THERE IS A PREDOMINANCE OF BUILDINGS OR IMPROVEMENTS, WHETHER RESIDENTIAL OR NONRESIDENTIAL, AND WHICH, BY REASON OF ANY OF THE FOLLOWING FACTORS, BY ITSELF OR IN ANY COMBINATION OF SUCH FACTORS, IS CONDUCTIVE TO ILL HEALTH, TRANSMISSION OF DISEASE, INFANT MORTALITY, JUVENILE DELINQUENCY, OR CRIME, AND IS DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, MORALS, OR WELFARE:

(a) DILAPIDATION;

(b) DETERIORATION;

(c) AGE OR OBSOLESCENCE;

(d) INADEQUATE PROVISION FOR VENTILATION, LIGHT, AIR, SANITATION, OR OPEN SPACES;

(e) HIGH DENSITY OF POPULATION AND OVERCROWDING; OR

(f) THE EXISTENCE OF CONDITIONS THAT ENDANGER LIFE OR PROPERTY BY FIRE OR OTHER CAUSES.

(+) (1.5) "Authority" or "urban renewal authority" means a corporate body organized pursuant to the provisions of this part 1 for the purposes, with the powers, and subject to the restrictions set forth in this part 1."

Page 6, strike lines 14 through 23 and substitute the following:

~~"(7) "Slum area" means an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, and which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire or other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime and is detrimental to the public health, safety, morals, or welfare.";~~

line 24, strike "a slum area" and substitute "a ~~slum~~ area";

line 25, before "THAT", insert "AN AREA OF IMPROVEMENT";

line 26, strike "AREA" and substitute "AREA "".

Page 7, line 1, strike "SLUM," and substitute "AN AREA OF IMPROVEMENT,";

line 6, strike "slums" and substitute "~~slums~~" and, after "blight", insert "CONDITIONS SUPPORTING A DETERMINATION THAT A PARTICULAR AREA CONSTITUTES AN AREA OF IMPROVEMENT";

line 7, strike "slum" and substitute "~~slum~~";

line 10, strike "a slum" and substitute "~~a slum~~" and, strike "area" and substitute "AN area OF IMPROVEMENT";

line 15, strike "SLUMS" and substitute "CONDITIONS SUPPORTING A DETERMINATION THAT A PARTICULAR AREA CONSTITUTES AN AREA OF IMPROVEMENT";

line 24, strike "slum" and substitute "~~slum~~";

line 25, after "areas", insert "OF IMPROVEMENT".

Page 10, line 1, strike "slum" and substitute "~~slum~~";

line 2, strike "areas," and substitute "~~areas~~ CONDITIONS SUPPORTING A DETERMINATION THAT A PARTICULAR AREA CONSTITUTES AN AREA OF

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IMPROVEMENT,";

line 7, strike "SLUM" and substitute "CONDITIONS SUPPORTING A DETERMINATION THAT A PARTICULAR AREA CONSTITUTES AN AREA OF IMPROVEMENT";

line 8, strike "SLUM" and substitute "SUCH CONDITIONS";

line 10, strike "slum" and substitute "~~slum~~" and, after "areas", insert "OF IMPROVEMENT";

line 14, strike "slum" and substitute "~~slum~~" and, after "areas", insert "OF IMPROVEMENT";

line 18, strike "slum" and substitute "~~slum~~" and, after "areas", insert "OF IMPROVEMENT".

Page 11, strike lines 6 and 7 and substitute the following:

"is located in a ~~blighted area~~ AN AREA OF IMPROVEMENT or the property itself ~~is~~ CONSTITUTES AN AREA OF IMPROVEMENT, and the urban renewal project for which the property is being";

line 10, strike "~~is blighted~~ A" and substitute "~~is blighted~~ CONSTITUTES AN AREA OF IMPROVEMENT";

line 11, strike "SLUM AREA";

line 12, strike "SLUM AREA";

line 13, strike "IS A";

line 14, strike "SLUM AREA" and substitute "IS LOCATED IN OR CONSTITUTES AN AREA OF IMPROVEMENT";

line 15, strike "SLUM";

line 20, strike "A SLUM" and substitute "AN AREA OF IMPROVEMENT";

line 21, strike "A SLUM," and substitute "AN AREA OF IMPROVEMENT,";

line 25, strike "A SLUM AREA" and substitute "AN AREA OF IMPROVEMENT".

Page 12, line 2, strike "of ~~blight~~ SLUM" and substitute "~~of blight~~";

line 4, strike "SLUM";

line 9, strike "determination of ~~blight~~ SLUM." and substitute "determination. ~~of blight~~.";

line 12, strike "determination of ~~blight~~ SLUM," and substitute "determination, ~~of blight~~".

Page 14, strike line 24 and substitute the following:

"determined ~~such~~ THE area to be a ~~slum, blighted~~ AN area ~~or a combination~~ OF IMPROVEMENT".

Page 15, line 1, strike "a ~~blighted~~ SLUM" and substitute "~~a blighted~~ AN AREA OF IMPROVEMENT";

line 5, strike "A SLUM" and substitute "AN";

line 6, after "AREA", insert "OF IMPROVEMENT";

line 7, strike "A SLUM," and substitute "AN AREA OF IMPROVEMENT,";

line 10, strike "SLUM AREA" and substitute "AREA OF IMPROVEMENT";

line 17, strike "A SLUM" and substitute "LOCATED IN OR CONSTITUTES AN AREA OF IMPROVEMENT";

line 20, strike "(7)" and substitute "(1)";

strike line 21 and substitute the following:

"THE PRESENCE OF CONDITIONS SUPPORTING A DETERMINATION THAT A PARTICULAR AREA CONSTITUTES AN AREA OF IMPROVEMENT SHALL BE ASSESSED WITHOUT";

line 25, strike "SLUM" and substitute "AREA OF IMPROVEMENT";

line 26, strike "(7)," and substitute "(1),".

Page 16, line 20, strike "slum" and substitute "~~slum~~" and, after "conditions", insert "SUPPORTING A DETERMINATION THAT A PARTICULAR AREA CONSTITUTES AN AREA OF IMPROVEMENT";

strike line 24 and substitute the following:

"THE DEFINITION OF AREA OF IMPROVEMENT, AS SPECIFIED IN SECTION 31-25-103 (1).".

Page 17, line 7, strike "a blighted SLUM" and substitute "a ~~blighted~~ AN AREA OF IMPROVEMENT";

line 19, strike "slum areas." and substitute "~~slum areas~~ CONDITIONS SUPPORTING A DETERMINATION THAT A PARTICULAR AREA CONSTITUTES AN AREA OF IMPROVEMENT.".

Page 18, line 1, strike "of blight SLUM" and substitute "~~of blight~~ SUPPORTING A DETERMINATION THAT A PARTICULAR AREA CONSTITUTES AN AREA OF IMPROVEMENT";

line 15, strike "a" and substitute "a";

line 16, strike "SLUM area." and substitute "AN area OF IMPROVEMENT.";

line 25, strike "a blighted SLUM area," and substitute "a ~~blighted~~ AN area OF IMPROVEMENT,".

Page 1, line 102, strike "ELIMINATING BLIGHT AS A CONDITION" and substitute "MODIFYING THE CONDITIONS";

line 105, strike "SLUM AREAS," and substitute "AREAS OF IMPROVEMENT,".

State,  
Veterans, &  
Military  
Affairs

After consideration on the merits, the Committee recommends that **SB06-227** be referred to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB06-1344** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 10, line 20, after "C.R.S.," insert "TO BE CREDITED TO THE VITAL STATISTICS RECORDS CASH FUND PURSUANT TO SECTION 25-2-121, C.R.S.";

line 24, strike "THE FEES COLLECTED";

strike lines 25 through 27 and substitute the following:

"BOTH PARTIES TO THE PROPOSED DOMESTIC".

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Business,  
Labor, &  
Technology

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

Amend reengrossed bill, page 5, line 7, strike "12-71-116." and substitute "12-71-117.";

line 21, strike "12-71-115," and substitute "12-71-116,".

Page 8, line 8, strike "12-71-112 OR 12-71-113." and substitute "12-71-113 OR 12-71-114.".

Page 14, after line 16, insert the following:

**"12-71-112. Professional liability.** (1) THE SHAREHOLDERS, MEMBERS, OR PARTNERS OF AN ENTITY THAT PRACTICES LANDSCAPE ARCHITECTURE ARE LIABLE FOR THE ACTS, ERRORS, AND OMISSIONS OF THE EMPLOYEES, MEMBERS, AND PARTNERS OF THE ENTITY, EXCEPT WHEN THE ENTITY MAINTAINS A QUALIFYING POLICY OF PROFESSIONAL LIABILITY INSURANCE AS SET FORTH IN SUBSECTION (2) OF THIS SECTION.

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

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

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

(b) IN ADDITION, THE POLICY MAY INCLUDE:

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

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

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

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

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

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

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

Renumber succeeding C.R.S. sections accordingly.

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Appropriations

After consideration on the merits, the Committee recommends that **SB06-193** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, after line 21, insert the following:

**SECTION 2. Appropriation - adjustments in 2006 long bill.**

(1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the operational account of the severance tax trust fund created in section 39-29-109, Colorado Revised Statutes, not otherwise appropriated, to the department of natural resources, Colorado water conservation board, for the fiscal year beginning July 1, 2006, the sum of one hundred twenty-five thousand dollars (\$125,000), or so much thereof as may be necessary, for the implementation of this act.

(2) For the implementation of this act, appropriations made in the annual general appropriation act to the department of natural resources, geological survey, for the fiscal year beginning July 1, 2006, shall be adjusted as follows:

(a) The cash fund appropriation from fees shall be decreased by twenty-one thousand dollars (\$21,000).

(b) The cash fund appropriation from the operational account of the severance tax trust fund created in section 39-29-109, Colorado Revised Statutes, shall be increased by twenty-one thousand dollars (\$21,000)."

Renumber succeeding section accordingly.

Page 1, line 101, strike "STORAGE." and substitute "STORAGE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that **SB06-183** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Agriculture, Natural Resources, and Energy Committee Report, dated March 1, 2006, page 1, strike lines 1 and 2 and substitute the following:

"Amend printed bill, page 1, strike line 2.

Page 2, strike lines 1 through 4 and substitute the following:

**SECTION 1.** 23-35-102.3 (1), Colorado Revised Statutes, is amended to read:

**23-35-102.3. Water research fund.** (1) There is hereby established in the state treasury the water research fund, referred to in this article as the "fund". The fund shall consist of gifts, grants, and donations accepted by the institute AND MONEYS TRANSFERRED PURSUANT TO SECTION 39-29-109 (1) (a) (III). The moneys in the fund are hereby continuously appropriated to the institute, and the institute may expend moneys from the fund for any purpose consistent with this article. Any interest derived from the deposit and investment of moneys in the fund shall be credited to the fund. At the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund.";

strike lines 9 through 18 and substitute the following:

**SECTION 3.** 39-29-109 (1) (a), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**39-29-109. Severance tax trust fund - created - administration - use of moneys - definitions - repeal.** (1) (a) There is hereby created

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in the office of the state treasurer the severance tax trust fund. The fund is to be perpetual and held in trust as a replacement for depleted natural resources and for the development and conservation of the state's water resources pursuant to sections 37-60-106 (1) (j) and (1) (l), 37-60-119, and 37-60-122, C.R.S., and for the use in funding programs that promote and encourage sound natural resource planning, management, and development related to minerals, energy, geology, and water. State severance tax receipts shall be credited to the severance tax trust fund as provided in section 39-29-108. All income derived from the deposit and investment of the moneys in the severance tax trust fund shall be credited to the severance tax trust fund. At the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund. All moneys in the fund shall be subject to appropriation by the general assembly for the following purposes:

(III) DEVELOPING, IMPLEMENTING, AND COORDINATING WATER AND WATER-RELATED RESEARCH PROGRAMS IN THE STATE AND TRANSFERRING THE RESULTS OF RESEARCH AND NEW TECHNOLOGIES TO POTENTIAL USERS AND OTHER USES AUTHORIZED BY PART 35 OF TITLE 23, C.R.S. SUBJECT TO THE MAINTENANCE OF THE END BALANCE REQUIREMENT OF PARAGRAPH (f) OF SUBSECTION (1.5) OF THIS SECTION AND A TWO-YEAR RESERVE PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (III) OF PARAGRAPH (c) OF THIS SUBSECTION (1), AT THE END OF EACH FISCAL YEAR, THE STATE TREASURER SHALL TRANSFER FIVE HUNDRED THOUSAND DOLLARS FROM THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND TO THE WATER RESEARCH FUND CREATED IN SECTION 23-35-102.3, C.R.S."

Renumber succeeding sections accordingly.

Page 1 of the committee report, line 3, strike ""SECTION" and substitute "SECTION";

line 5, strike "general fund" and substitute "water research fund created in section 23-35-102.3, Colorado Revised Statutes,";

line 6, after "to", insert "governing boards, for the board of governors of the" and strike "university," and substitute "university system,".

Appropriations After consideration on the merits, the Committee recommends that **SB06-182** be postponed indefinitely.

Appropriations After consideration on the merits, the Committee recommends that **SB06-175** be postponed indefinitely.

Appropriations After consideration on the merits, the Committee recommends that **SB06-150** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 11, strike lines 9 and 10 and substitute the following:

**SECTION 15. Effective date.** (1) This act shall take effect July 1, 2007.

(2) Notwithstanding the provisions of subsection (1) of this section, this act shall only take effect if:

(a) The final fiscal impact statement prepared on S.B. 06-222 by the legislative council staff shows a net general fund savings for fiscal year 2007-08 that is equal to or greater than the estimated increase in general fund expenditures for fiscal year 2007-08, as shown in the final fiscal impact statement prepared on S.B. 06-150 by the legislative council staff;

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(b) S.B. 06-222 is enacted at the second regular session of the sixty-fifth general assembly and becomes law; and

(c) The staff director of the joint budget committee files written notice with the revisor of statutes no later than July 15, 2006, that the requirement set forth in paragraph (a) of this subsection (2) has been met."

Appropriations After consideration on the merits, the Committee recommends that **SB06-077** be postponed indefinitely.

Appropriations After consideration on the merits, the Committee recommends that **SB06-031** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 18, strike "AND" and substitute "AND, ON OR AFTER JULY 1, 2007,".

Appropriations After consideration on the merits, the Committee recommends that **SB06-022** be amended as follows, and as so amended, be referred to the Committee on with favorable recommendation.

Amend printed bill, page 9, after line 7, insert the following:

**"SECTION 10. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of corrections, for the fiscal year beginning July 1, 2006, the sum of seventy-one thousand eight hundred six dollars (\$71,806) and 0.7 FTE, or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the sex offender surcharge cash fund created in section 18-21-103 (3), Colorado Revised Statutes, not otherwise appropriated, to the judicial department, for the fiscal year beginning July 1, 2006, the sum of twenty-seven thousand dollars (\$27,000), or so much thereof as may be necessary, for the implementation of this act.

(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public safety, for allocation to the division of criminal justice, for the fiscal year beginning July 1, 2006, the sum of twenty-nine thousand dollars (\$29,000), or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 101, strike "**PREDATORS.**" and substitute "**PREDATORS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**".

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**INTRODUCTION OF RESOLUTIONS**

The following resolutions were read by title:

**SJR06-029** by Senator(s) Gordon; --Concerning the ONE Campaign to alleviate poverty and global AIDS.

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

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**SJR06-030** by Senator(s) Sandoval; also Representative(s) Merrifield, Rose--Concerning support of the goals and ideals of "The Year of the Museum".

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

**SR06-009** by Senator(s) Kester; --Concerning the designation of a portion of Colorado highway 10 as the "1st Cavalry Division Memorial Highway".

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

**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.

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

### INTRODUCTION OF BILLS -- FIRST READING

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

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

**HB06-1153** by Representative(s) Berens, Hefley, Balmer, Cloer, Crane, Frangas, Gardner, Hall, Harvey, Kerr, King, Knoedler, Lindstrom, Liston, Lundberg, Massey, May M., McFadyen, Penry, Rose, Schultheis, Soper, Stafford, Sullivan, Todd, Welker, White, Witwer; also Senator(s) Mitchell, Bacon, Dyer, Johnson, Jones, Lamborn, May R., Shaffer, Spence--Concerning changes to Colorado's sex offender registration laws, and making an appropriation in connection therewith.  
Judiciary

**HB06-1266** by Representative(s) Larson, Frangas; also Senator(s) Veiga--Concerning the recovery of public assistance payments for which a judgment has been issued.  
Finance

**HB06-1270** by Representative(s) Merrifield, Paccione, Benefield, Larson, Massey, McKinley, Pommer, Solano, Todd; also Senator(s) Gordon--Concerning the authority of public school personnel to make determinations of eligibility for certain public medical benefits, and making an appropriation in connection therewith.  
Education

**HB06-1311** by Representative(s) Curry, Hoppe; also Senator(s) Isgar--Concerning the species conservation trust fund, and, in connection therewith, approving the species conservation eligibility list, recapitalizing the species conservation trust fund, and making an appropriation.  
Agriculture, Natural Resources & Energy

**HB06-1312** by Representative(s) Vigil, Cloer, Garcia, Kerr; also Senator(s) Sandoval, Brophy, Teck, Veiga--Concerning written responses issued by the executive director of the department of revenue upon the request of taxpayers, and making an appropriation therefor.  
Finance

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

**HB06-1364** by Representative(s) Madden; also Senator(s) Shaffer--Concerning offenses related to the location of a protected person.  
Judiciary

**HB06-1365** by Representative(s) Frangas, Coleman; also Senator(s) Lamborn, Sandoval--Concerning practices related to state budgeting, and, in connection therewith, establishing a performance-based budget for state fiscal years commencing on and after July 1, 2009, and requiring budget savings from the same state fiscal years to be transferred to the Colorado fiscal responsibility fund to be saved and used only during economic downturns to stabilize

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funding for state programs and to prevent cuts in essential services or layoffs of state personnel.

State, Veterans & Military Affairs

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

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### MESSAGE FROM THE HOUSE

April 18, 2006

Madame President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes  
HB06-1392, 1013.

The House has passed on Third Reading and transmitted to the Revisor of Statutes  
HB06-1363, amended as printed in House Journal, April 14, page 1216.  
HB06-1380, amended as printed in House Journal, April 14, page 1220.  
HB06-1158, amended as printed in House Journal, April 14, page 1220.  
HB06-1131, amended as printed in House Journal, April 17, pages 1266-1268.  
HB06-1001, amended as printed in House Journal, April 17, page 1269 and  
amended on Third Reading as printed in House Journal, April 18.  
HB06-1092, amended as printed in House Journal, April 17, page 1268.  
HB06-1211, amended as printed in House Journal, April 17, page 1269.  
HB06-1304, amended as printed in House Journal, April 17, pages 1269-1270.  
HB06-1017, amended as printed in House Journal, April 17, pages 1270-1271.  
HB06-1057, amended as printed in House Journal, April 17, page 1271.

The House has passed on Third Reading and returns herewith SB06-215, 203, 205

The House has adopted the First Report of the Second Conference Committee on  
HB06-1375, as printed in House Journal, April 17, page 1285-1297, and has  
repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on  
HB06-1107, as printed in House Journal, April 14, pages 1231-1234, and has  
repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on  
HB06-1273, as printed in House Journal, April 14, pages 1234-1235, and has  
repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on  
HB06-1075, as printed in House Journal, April 14, pages 1230-1231, and has  
repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on  
HB06-1021, as printed in House Journal, April 14, page 1230, and has  
repassed the bill as amended.

The House voted to adhere to its position on HB06-1159. The bill is transmitted herewith.

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### MESSAGE FROM THE REVISOR OF STATUTES

April 18, 2006

We herewith transmit:

Without comment, HB06-1013 and 1392.

Without comment, as amended, HB06-1001, 1017, 1057, 1092, 1131, 1158, 1211, 1304,  
1363, and 1380.

**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:

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

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

Third Reading Amendment No. 1(L.006), by Senator Tapia.

Amend engrossed bill, page 3, line 6, strike "**students.**" and substitute "**students - fund.**";

line 22, strike "GENERAL FUND MONEYS" and substitute "FUNDING RECEIVED THROUGH GIFTS, GRANTS, AND DONATIONS".

Page 4, after line 16, insert the following:

"(4) (a) THE DEPARTMENT IS AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION. ALL PRIVATE AND PUBLIC FUNDS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE STUDENT DENTAL PROGRAM FUND, WHICH FUND IS HEREBY CREATED AND REFERRED TO IN THIS SECTION AS THE "FUND". THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THIS SECTION.

(b) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

(c) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE DEPARTMENT SHALL IMPLEMENT THE PROVISIONS OF THIS SECTION ONLY TO THE EXTENT SUFFICIENT MONEYS ARE CREDITED TO THE FUND.";

line 21, strike "general fund" and substitute "student dental program fund, created in section 25-21.5-104.5, Colorado Revised Statutes,".

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	27	NO	8	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	Y
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	Y	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	Y	President	Y
Grossman	Y	McElhany	Y	Teck	N		

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

Co-sponsors added: Bacon, Boyd, Evans, Groff, Sandoval, Shaffer, Tochtrop, Tupa, Veiga, Williams and Windels.

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

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

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	N	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	N	President	Y
Grossman	Y	McElhany	N	Teck	N		

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

Co-sponsors added: Fitz-Gerald and Shaffer.

**SB06-217** by Senator(s) Groff, Wiens; also Representative(s) Carroll T., Cerbo, Harvey--Concerning the authority of the state board of medical examiners to license certain distinguished teaching physicians.

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: Boyd, Dyer, Fitz-Gerald, Johnson, Jones, May R., Shaffer, Tochtrop, Traylor, Williams and Windels.

**SB06-128** by Senator(s) Owen, Evans, Gordon, Johnson, Keller, Mitchell; also Representative(s) Riesberg, Cloer, Frangas, Knoedler, Larson, Marshall--Concerning a program for services for people with disabilities under the state medical assistance program, and making an appropriation therefor.

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

Co-sponsors added: Bacon, Boyd, Fitz-Gerald, Groff, Jones, Kester, Shaffer, Spence, Tapia, Tochtrop, Tupa and Williams.

**HB06-1355** by Representative(s) McKinley, Rose; also Senator(s) Isgar--Concerning the consolidation of procedures regulating the auction of certain big game hunting licenses, and, in connection therewith, consolidating the procedures regulating the raffle of hunting licenses for sheep, goats, moose, deer, elk, and pronghorn.

The question being "Shall the bill 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	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		

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

Co-sponsors added: Entz, Taylor and Tochtrop.

**SB06-004** by Senator(s) Mitchell, Gordon, Keller, Tochtrop; also Representative(s) Butcher, Frangas, McCluskey, Todd--Concerning a report by the department of corrections regarding the provision of medical services to state inmates through the use of telemedicine.

The question being "Shall the bill 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	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	N	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, Teck and Williams.

**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, excluding payments made to compensate local governmental entities for property tax revenues lost as a result of the extension of the exemption from state fiscal year spending.

The question being "Shall the concurrent resolution 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: Bacon, Boyd, Brophy, Dyer, Entz, Fitz-Gerald, Gordon, Isgar, Johnson, Jones, Keller, Kester, Lamborn, May R., Mitchell, Owen, Shaffer, Spence, Tapia, Taylor, Tochtrop, Traylor, Tupa, Wiens, Williams and Windels.

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

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

YES	33	NO	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	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	N	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

Co-sponsors added: Brophy, Sandoval and Williams.

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

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: Boyd, Brophy, Entz, Evans, Fitz-Gerald, Groff, Isgar, Lamborn, Mitchell, Shaffer, Taylor, Teck, Tochtrop, Traylor, Tupa, Veiga, Wiens and Williams.

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

The question being "Shall the bill 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	N	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: Bacon, Boyd, Groff, Grossman, Isgar, Kester, Shaffer, Tochtrop, Tupa, Veiga and Williams.

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

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

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

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

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

**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.

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

YES	30	NO	5	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	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	N		

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

Co-sponsors added: Jones, Kester, Mitchell, Shaffer and Tupa.

**SB06-048** by Senator(s) Tapia, Bacon, Evans; also Representative(s) Massey, Borodkin--Concerning the pilot program for the director of research of the legislative council to use a dynamic model to analyze the economic impact of bills that make a tax policy change, and making an appropriation therefor.

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

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

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

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

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

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

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

Co-sponsors added: Bacon, Boyd, Groff, Hagedorn, Isgar, Jones, Keller, Kester, Mitchell, Shaffer, Teck, Tupa, Veiga, Williams and Windels.

**SB06-061** by Senator(s) Keller; also Representative(s) Larson--Concerning providing interpretation in legal situations for persons with hearing loss, and making an appropriation in connection therewith.

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

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

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

Co-sponsors added: Bacon, Boyd, Gordon, Grossman, Hagedorn, Isgar, Kester, Shaffer, Tochtrop, Tupa, Veiga, Williams and Windels.

**SB06-148** by Senator(s) Tapia; also Representative(s) McFadyen--Concerning the creation of community policing programs by local law enforcement agencies, and making an appropriation in connection therewith.

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

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

Co-sponsors added: Boyd, Grossman, Hagedorn, Shaffer, Tupa, Veiga, Williams and Windels.

Committee of the Whole

On motion of Senator Takis, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Takis was called to the Chair to act as Chairman.

**GENERAL ORDERS -- SECOND READING OF BILLS**

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

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, SB06-001 was advanced to the top of the General Orders -- Second Reading of Bills calendar.

**SB06-001**

by Senator(s) Hagedorn; also Representative(s) Madden--Concerning a reduction in the cost of prescription drugs.

Amendment No. 1, Health and Human Services Committee Amendment.  
(Printed in Senate Journal, March 30, pages 679-680 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 14, page 873 and placed in members' bill files.)

Amendment No. 3(L.006), by Senator Hagedorn.

Amend printed bill, page 8, line 19, after the period, add "ANY PROGRAM CONTRACT BETWEEN A CONTRACTING ENTITY AND A PHARMACY SHALL COMPLY WITH ALL STATUTES UNDER THE "COLORADO MEDICAL ASSISTANCE ACT" RELATING TO PROVIDERS OF PHARMACEUTICAL SERVICES AND THE CORRESPONDING RULES ADOPTED BY THE STATE BOARD."

Amendment No. 4(L.008), by Senator Hagedorn.

Amend the Health and Human Services Committee Report, dated March 29, 2006, page 1, strike lines 7 through 13 and substitute the following:

"Page 8, strike lines 20 through 27.

Strike pages 9 and 10.

Page 11, strike lines 1 through 11.

Re-number succeeding C.R.S. section accordingly."

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

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- 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. 1  
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- Amendment No. 1, Education Committee Amendment.  
(Printed in Senate Journal, February 2, pages 116-117 and placed in members' bill files.)
- Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, March 31, page 721 and placed in members' bill files.)
- As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.
- SB06-081** by Senator(s) Veiga; also Representative(s) Madden--Concerning the expansion of employment nondiscrimination protections. 15  
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- Amendment No. 1 Appropriations Committee Amendment.  
(Printed in Senate Journal, April 14, pages 901-902 and placed in members' bill files.)
- As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.
- HB06-1346** by Representative(s) McGihon; also Senator(s) Shaffer--Concerning dependent health care coverage for a minor child of a person eligible for dependent coverage. 24  
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- Laid over until Thursday, April 20, retaining its place on the calendar.
- SB06-213** by Senator(s) Hagedorn; also Representative(s) Penry--Concerning the requirement that health care services provided at an in-network facility be provided to the covered person at no greater cost than services provided by an in-network provider. 29  
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- Laid over until Thursday, April 20, retaining its place on the calendar.
- SB06-069** by Senator(s) Windels; also Representative(s) Merrifield--Concerning school accountability. 35  
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- Amendment No. 1, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 14, page 874 and placed in members' bill files.)
- As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.

#### ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE 44

On motion of Senator Takis, the Report of the Committee of the Whole was adopted and, a majority of all members elected to the Senate having voted in the affirmative, the following action was taken: 45  
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Passed on Second Reading: SB06-001 as amended, SB06-046 as amended, SB06-081 as amended, SB06-069 as amended. 50  
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Laid over until Thursday, April 20: HB06-1346, SB06-213. 52  
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#### COMMITTEE OF REFERENCE REPORTS 56

Appropriations After consideration on the merits, the Committee recommends that **SB06-011** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation. 57  
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Strike the Health and Human Services Committee Report, dated January 19, 2006, and substitute the following: 62  
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"Amend printed bill, page 3, line 1, strike "CONVENE A MEETING OF ALL"; 65  
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strike lines 2 through 10 and substitute the following: 67  
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"ASSURE THAT THE STUDY PARAMETERS INCLUDE THE DATA TO BE 69

GATHERED, THE METHOD";

line 14, strike "APPROVAL" and substitute "REVIEW".

Page 4, strike lines 1 through 5 and substitute the following:

"(d) IF THE COMMISSIONER CONTRACTS WITH A NONPROFIT ENTITY";

line 14, strike "BEGINNING \_\_\_\_\_ AND ENDING \_\_\_\_\_;" and substitute "BEGINNING JANUARY 1, 2002, AND ENDING DECEMBER 31, 2005;"

strike line 27.

Strike page 5.

Page 6, strike lines 1 through 4 and substitute the following:

**SECTION 2. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of insurance cash fund created in section 10-1-103 (3), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the division of insurance, for the fiscal year beginning July 1, 2006, the sum of twenty-five thousand three hundred forty-nine dollars (\$25,349), or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 2, line 102, strike "COUNTY." and substitute "COUNTY, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."."

Appropriations

After consideration on the merits, the Committee recommends that **SB06-133** be postponed indefinitely.

Appropriations

After consideration on the merits, the Committee recommends that **SB06-111** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Senate Education Committee Report, dated February 16, 2006, page 1, strike lines 15 and 16.

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

"strike lines 7 through 14 and substitute the following:

"COMPOSED OF NO MORE THAN THIRTY-FIVE INDIVIDUALS SELECTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT TO REPRESENT THE FOLLOWING GROUPS: HEALTH CURRICULUM SPECIALISTS FROM COLORADO INSTITUTIONS OF HIGHER EDUCATION; HEALTH-RELATED LICENSING BOARDS LISTED IN SECTION 24-34-901 (3), C.R.S.; STATEWIDE HEALTH-RELATED PROFESSIONAL ASSOCIATIONS; STATEWIDE RELIGIOUS AND ETHNIC GROUPS; AND THE DEPARTMENT."."

strike lines 19 through 29 of the committee report and substitute the following:

**SECTION 3.** 24-75-1104.5, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**24-75-1104.5. Use of settlement moneys - programs.** (2) (a) FOR THE 2006-07 FISCAL YEAR, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL RECEIVE AN APPROPRIATION FROM THE SETTLEMENT MONEYS ANNUALLY RECEIVED BY THE STATE IN THE AMOUNT OF ONE HUNDRED THIRTY THOUSAND EIGHT HUNDRED EIGHTY-TWO DOLLARS TO FUND THE TASK FORCE ON CULTURAL COMPETENCE CREATED

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IN SECTION 25-4-2204, C.R.S..

(a) FOR THE 2007-08 FISCAL YEAR, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL RECEIVE AN APPROPRIATION NOT TO EXCEED FIFTY THOUSAND DOLLARS FROM THE SETTLEMENT MONEYS ANNUALLY RECEIVED BY THE STATE TO FUND THE TASK FORCE ON CULTURAL COMPETENCE CREATED IN SECTION 25-4-2204, C.R.S..

(b) THE GENERAL ASSEMBLY SHALL APPROPRIATE THE AMOUNT SPECIFIED IN THIS SUBSECTION (2) FROM MONEYS CREDITED TO THE TOBACCO LITIGATION SETTLEMENT CASH FUND CREATED IN SECTION 24-22-115.

**SECTION 4. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the tobacco litigation settlement cash fund created in section 24-22-115 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for allocation to the administration and support division, for the fiscal year beginning July 1, 2006, the sum of one hundred thirty thousand eight hundred eighty-two dollars (\$130,882) and 1.7 FTE, or so much thereof as may be necessary, for the implementation of this act."."

Appropriations

After consideration on the merits, the Committee recommends that **SB06-096** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Agriculture, Natural Resources & Energy Committee Report, dated January 26, 2006, page 2, after line 22, insert the following:

"line 16, strike "ASSEMBLY AND" and substitute "ASSEMBLY,";

line 18, strike "FUND." and substitute "FUND, AND ALL MONEYS TRANSFERRED TO THE FUND PURSUANT TO SECTION 39-29-110(1)(b)(V), C.R.S.";"

strike lines 24 through 28 of the committee report and substitute the following:

"Page 4, strike lines 3 through 9 and substitute the following:

**"SECTION 2.** Article 60 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

PART 32

INTERSTATE COMPACT FOR THE PREVENTION AND CONTROL OF FOREST FIRES

**24-60-3201. Execution of compact.** THE GOVERNOR MAY ENTER INTO A COMPACT ON BEHALF OF THE STATE WITH ANY OTHER STATE OR STATES LEGALLY JOINING THEREIN IN THE FORM SUBSTANTIALLY AS FOLLOWS:

ARTICLE I

THE PURPOSE OF THIS COMPACT IS TO PROMOTE EFFECTIVE PREVENTION AND CONTROL OF FOREST FIRES IN THE GREAT PLAINS REGION OF THE UNITED STATES BY THE MAINTENANCE OF ADEQUATE FOREST FIRE FIGHTING SERVICES BY THE MEMBER STATES, AND BY PROVIDING FOR RECIPROCAL AID IN FIGHTING FOREST FIRES AMONG THE COMPACTING STATES OF THE REGION, INCLUDING SOUTH DAKOTA, NORTH DAKOTA, WYOMING, COLORADO, AND ANY ADJOINING STATE OF A CURRENT MEMBER STATE.

ARTICLE II

THIS COMPACT IS OPERATIVE IMMEDIATELY AS TO THOSE STATES

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RATIFYING IT IF ANY TWO OR MORE OF THE MEMBER STATES HAVE RATIFIED IT.

ARTICLE III

IN EACH STATE, THE STATE FORESTER OR OFFICER HOLDING THE EQUIVALENT POSITION WHO IS RESPONSIBLE FOR FOREST FIRE CONTROL MAY ACT AS COMPACT ADMINISTRATOR FOR THAT STATE, CONSULT WITH LIKE OFFICIALS OF THE OTHER MEMBER STATES, AND IMPLEMENT COOPERATION BETWEEN THE STATES IN FOREST FIRE PREVENTION AND CONTROL. THE COMPACT ADMINISTRATORS OF THE MEMBER STATES MAY ORGANIZE TO COORDINATE THE SERVICES OF THE MEMBER STATES AND PROVIDE ADMINISTRATIVE INTEGRATION IN CARRYING OUT THE PURPOSES OF THIS COMPACT. EACH MEMBER STATE MAY FORMULATE AND PUT IN EFFECT A FOREST FIRE PLAN FOR THAT STATE.

ARTICLE IV

IF THE STATE FOREST FIRE CONTROL AGENCY OF A MEMBER STATE REQUESTS AID FROM THE STATE FOREST FIRE CONTROL AGENCY OF ANY OTHER MEMBER STATE IN COMBATING, CONTROLLING, OR PREVENTING FOREST FIRES, THE STATE FOREST FIRE CONTROL AGENCY OF THAT STATE MAY RENDER ALL POSSIBLE AID TO THE REQUESTING AGENCY, CONSONANT WITH THE MAINTENANCE OF PROTECTION AT HOME.

ARTICLE V

(1) IF THE FORCES OF ANY MEMBER STATE ARE RENDERING OUTSIDE AID PURSUANT TO THE REQUEST OF ANOTHER MEMBER STATE UNDER THIS COMPACT, THE EMPLOYEES OF THE STATE SHALL, UNDER THE DIRECTION OF THE OFFICERS OF THE STATE TO WHICH THEY ARE RENDERING AID, HAVE THE SAME POWERS (EXCEPT THE POWER OF ARREST), DUTIES, RIGHTS, PRIVILEGES, AND IMMUNITIES AS COMPARABLE EMPLOYEES OF THE STATE TO WHICH THEY ARE RENDERING AID.

(2) NO MEMBER STATE OR ITS OFFICERS OR EMPLOYEES RENDERING OUTSIDE AID PURSUANT TO THIS COMPACT IS LIABLE ON ACCOUNT OF ANY ACT OR OMISSION ON THE PART OF SUCH FORCES WHILE SO ENGAGED, OR ON ACCOUNT OF THE MAINTENANCE OR USE OF ANY EQUIPMENT OR SUPPLIES IN CONNECTION WITH RENDERING THE OUTSIDE AID.

(3) ALL LIABILITY, EXCEPT AS OTHERWISE PROVIDED IN THIS COMPACT, THAT MAY ARISE EITHER UNDER THE LAWS OF THE REQUESTING STATE OR UNDER THE LAWS OF THE AIDING STATE OR UNDER THE LAWS OF A THIRD STATE ON ACCOUNT OF OR IN CONNECTION WITH A REQUEST FOR AID, SHALL BE ASSUMED AND BORNE BY THE REQUESTING STATE.

(4) ANY MEMBER STATE RENDERING OUTSIDE AID PURSUANT TO THIS COMPACT SHALL BE REIMBURSED BY THE MEMBER STATE RECEIVING THE AID FOR ANY LOSS OR DAMAGE TO, OR EXPENSE INCURRED IN THE OPERATION OF, ANY EQUIPMENT USED IN ANSWERING A REQUEST FOR AID, AND FOR THE COST OF ALL MATERIALS, TRANSPORTATION, WAGES, SALARIES, AND MAINTENANCE OF EMPLOYEES AND EQUIPMENT INCURRED IN CONNECTION WITH THE REQUEST. HOWEVER, NOTHING IN THIS COMPACT PREVENTS ANY ASSISTING MEMBER STATE FROM ASSUMING THE LOSS, DAMAGE, EXPENSE, OR OTHER COST, FROM LOANING THE EQUIPMENT, OR FROM DONATING THE SERVICES TO THE RECEIVING MEMBER STATE WITHOUT CHARGE OR COST.

(5) EACH MEMBER STATE SHALL ASSURE THAT WORKERS COMPENSATION BENEFITS IN CONFORMITY WITH THE MINIMUM LEGAL REQUIREMENTS OF THE STATE ARE AVAILABLE TO ALL EMPLOYEES AND CONTRACT FIREFIGHTERS SENT TO A REQUESTING STATE PURSUANT TO THIS COMPACT.

(6) FOR THE PURPOSES OF THIS COMPACT, THE TERM "EMPLOYEE" INCLUDES ANY VOLUNTEER OR AUXILIARY LEGALLY INCLUDED WITHIN THE FOREST FIRE FIGHTING FORCES OF THE AIDING STATE UNDER THE LAWS OF THE AIDING STATE.

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(7) THE COMPACT ADMINISTRATORS MAY FORMULATE PROCEDURES FOR CLAIMS AND REIMBURSEMENT UNDER THE PROVISIONS OF THIS ARTICLE IN ACCORDANCE WITH THE LAWS OF THE MEMBER STATES.

ARTICLE VI

(1) RATIFICATION OF THIS COMPACT DOES NOT AFFECT ANY EXISTING STATUTE SO AS TO AUTHORIZE OR PERMIT CURTAILMENT OR DIMINUTION OF THE FOREST FIGHTING FORCES, EQUIPMENT, SERVICES, OR FACILITIES OF ANY MEMBER STATE.

(2) NOTHING IN THE COMPACT AUTHORIZES OR PERMITS ANY MEMBER STATE TO CURTAIL OR DIMINISH ITS FOREST FIRE FIGHTING FORCES, EQUIPMENT, SERVICES, OR FACILITIES. EACH MEMBER STATE SHALL MAINTAIN ADEQUATE FOREST FIRE FIGHTING FORCES AND EQUIPMENT TO MEET DEMANDS FOR FOREST FIRE PROTECTION WITHIN ITS BORDERS IN THE SAME MANNER AND TO THE SAME EXTENT AS IF THIS COMPACT WERE NOT OPERATIVE.

(3) NOTHING IN THIS COMPACT LIMITS OR RESTRICTS THE POWERS OF ANY STATE RATIFYING THE COMPACT TO PROVIDE FOR THE PREVENTION, CONTROL, AND EXTINGUISHMENT OF FOREST FIRES, OR TO PROHIBIT THE ENACTMENT OR ENFORCEMENT OF STATE LAWS, RULES, OR REGULATIONS INTENDED TO AID IN THE PREVENTION, CONTROL, AND EXTINGUISHMENT IN THE STATE.

(4) NOTHING IN THIS COMPACT AFFECTS ANY EXISTING OR FUTURE COOPERATIVE RELATIONSHIP OR ARRANGEMENT BETWEEN THE UNITED STATES FOREST SERVICE AND A MEMBER STATE OR STATES.

ARTICLE VII

REPRESENTATIVES OF THE UNITED STATES FOREST SERVICE MAY ATTEND MEETINGS OF THE COMPACT ADMINISTRATORS.

ARTICLE VIII

THE PROVISIONS OF ARTICLES IV AND V OF THIS COMPACT THAT RELATE TO RECIPROCAL AID IN COMBATING, CONTROLLING, OR PREVENTING FOREST FIRES ARE OPERATIVE AS BETWEEN ANY STATE PARTY TO THIS COMPACT AND ANY OTHER STATE WHICH IS PARTY TO THIS COMPACT AND ANY OTHER STATE THAT IS PARTY TO A REGIONAL FOREST FIRE PROTECTION COMPACT IN ANOTHER REGION IF THE LEGISLATURE OF THE OTHER STATE HAS GIVEN ITS ASSENT TO THE MUTUAL AID PROVISIONS OF THIS COMPACT.

ARTICLE IX

THIS COMPACT SHALL CONTINUE IN FORCE AND REMAIN BINDING ON EACH STATE RATIFYING IT UNTIL THE LEGISLATURE OR THE GOVERNOR OF THE STATE TAKES ACTION TO WITHDRAW FROM THE COMPACT. SUCH ACTION IS NOT EFFECTIVE UNTIL SIX MONTHS AFTER NOTICE OF THE WITHDRAWAL HAS BEEN SENT BY THE CHIEF EXECUTIVE OF THE STATE DESIRING TO WITHDRAW TO THE CHIEF EXECUTIVES OF ALL STATES THEN PARTIES TO THE COMPACT.

**SECTION 3.** 39-29-110 (1) (b), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**39-29-110. Local government severance tax fund - creation - administration - energy impact assistance advisory committee created - repeal.** (1) (b) (V) ON JULY 1, 2006, AND ON JULY 1 OF EACH YEAR THEREAFTER, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL TRANSFER THREE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEYS TO THE WILDFIRE PREPAREDNESS FUND CREATED IN SECTION 23-30-310 (4), C.R.S."

Renumber succeeding section accordingly.

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

strike line 102."

MESSAGE FROM THE HOUSE

April 19, 2006  
Madame President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1149, amended as printed in House Journal, April 18, pages 1316-1317. HB06-1151, amended as printed in House Journal, April 18, page 1317. HB06-1387, amended as printed in House Journal, April 18, pages 1317-1319.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB06-1384, amended as printed in House Journal, April 17, page 1271, and amended on Third Reading as printed in House Journal, April 19.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB06-204, amended as printed in House Journal, April 18, page 1320, and as amended on Third Reading as printed in House Journal, April 19.

SENATE SERVICES REPORT

Correctly Printed: SB06-228, and 229; SJR06-028.  
Correctly Engrossed: SB06-004, 048, 061, 072, 128, 130, 131, 136, 148, 165, 217, and 218; SCR06-001.  
Correctly Revised: HB06-1355.  
Correctly Enrolled: SB06-024, 025, 035, 052, 121, 145, 187, and 199.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB06-013, 021, 083, and 194.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, April 18, 2006, at 3:15 p.m.:  
SB06-023, 042, 060, 062, 091, 112, 113, 115, 119, 134, 137, 163, 177, 192, 195, and 196.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the Committee recommends that SB06-065 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Education Committee Report, dated February 9, 2006, page 1, after line 12, insert the following:

"line 6, strike "THE" and substitute "ON OR BEFORE JULY 1, 2007, THE";".

Page 2 of the committee report, strike lines 2 through 10 and substitute the following:

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"Page 7, line 9, strike "(8)" and substitute "(7)".

Page 8, line 20, after "(2)", insert "(a)".

Page 9, after line 1, insert the following:

"(b) SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY, MONEYS IN THE CONSTRUCTION AND RENOVATION FUND SHALL BE USED TO:

(I) PROVIDE SUFFICIENT STAFF TO ASSIST THE ADVISORY COMMITTEE FOR PUBLIC SCHOOL CAPITAL CONSTRUCTION IN THE PERFORMANCE OF THE ADVISORY COMMITTEE'S DUTIES DESCRIBED IN SECTION 22-43.7-201 (6); AND

(II) ENABLE THE STATE BOARD TO CONDUCT OR CONTRACT FOR THE CONDUCTING OF STATEWIDE NEEDS ASSESSMENTS OF SCHOOL BUILDINGS PURSUANT TO SECTION 22-43.7-202."

Page 11, after line 2, insert the following:

**SECTION 9. Appropriation - adjustments to the 2006 long bill.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the school construction and renovation fund established in section 22-43.7-103 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of education, assistance to public schools, grant programs and other distributions, for the provision of assistance to the advisory committee for public school capital construction pursuant to section 22-43.7-201, Colorado Revised Statutes, for the fiscal year beginning July 1, 2006, the sum of one hundred ten thousand nine hundred thirty-four dollars (\$110,934), or so much thereof as may be necessary, for the implementation of this act.

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

Renumber succeeding sections accordingly.

Page 1, line 102, strike "SCHOOLS." and substitute "SCHOOLS, AND MAKING AN APPROPRIATION THEREFOR."."

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1201** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Strike the Finance Committee Report, dated March 30, 2006.

Amend reengrossed bill, page 2, line 22, strike "FIFTY";

line 23, strike "PERCENT" and substitute "NINETEEN MILLION DOLLARS".

Page 3, line 2, strike "FIVE PERCENT" and substitute "ONE MILLION FIVE HUNDRED THOUSAND DOLLARS";

line 3, strike "ESTABLISHED IN SECTION 23-9-103, C.R.S." and substitute "CASH FUND CREATED IN SECTION 23-9-108, C.R.S. FOR THE 2006-07 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER, THE AMOUNTS TRANSFERRED PURSUANT TO THIS SUB-SUBPARAGRAPH (A) SHALL BE ADJUSTED BY THE RATE OF INFLATION FOR THE CALENDAR YEAR ENDING IN THE IMMEDIATELY PRECEDING FISCAL YEAR. AS USED IN THIS

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SUB-SUBPARAGRAPH (A), "INFLATION" MEANS THE PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX FOR THE DENVER-BOULDER CONSOLIDATED METROPOLITAN STATISTICAL AREA FOR ALL URBAN CONSUMERS, ALL GOODS, AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS, OR ITS SUCCESSOR INDEX.";

line 11, after "ARTS", insert "CASH FUND";

line 16, after "ARTS", insert "CASH FUND";

line 20, after "ARTS", insert "CASH FUND";

after line 24, insert the following:

"(C) THE MONEYS TRANSFERRED PURSUANT TO THIS SUBPARAGRAPH (III) AT THE END OF A FISCAL YEAR SHALL BE APPROPRIATED FOR USE IN THE NEXT FISCAL YEAR.

**SECTION 2.** 12-47.1-701 (4) (a), Colorado Revised Statutes, is amended to read:

**12-47.1-701. Limited gaming fund.** (4) (a) At the end of each fiscal year, the state treasurer shall distribute the balance remaining in the limited gaming fund in accordance with the provisions of section 9 (5) (b) (II) of article XVIII of the state constitution; except that:

(I) For fiscal years commencing prior to July 1, 2003, and for ~~fiscal years commencing on or after July 1, 2004~~ THE 2004-05 FISCAL YEAR, forty-nine and eight-tenths percent shall be transferred to the general fund of this state and two-tenths of one percent shall be transferred to the Colorado travel and tourism promotion fund created in section 24-49.7-106, C.R.S.;

(II) For the 2003-04 ~~state~~ fiscal year, fifty percent shall be transferred to the general fund of the state; AND

(III) (A) EXCEPT AS PROVIDED IN SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (III), FOR THE 2005-06 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER, OF THE PORTION OF LIMITED GAMING FUND MONEYS THAT WOULD OTHERWISE BE TRANSFERRED TO THE GENERAL FUND PURSUANT TO SECTION 9 (5) (b) (II) OF ARTICLE XVIII OF THE STATE CONSTITUTION, AFTER THE TRANSFER TO THE LOCAL GOVERNMENT LIMITED GAMING IMPACT FUND REQUIRED BY SECTION 12-47.1-1601, NINETEEN MILLION DOLLARS SHALL BE TRANSFERRED TO THE COLORADO TRAVEL AND TOURISM PROMOTION FUND CREATED IN SECTION 24-49.7-106, C.R.S., ONE MILLION FIVE HUNDRED THOUSAND DOLLARS SHALL BE TRANSFERRED TO THE STATE COUNCIL ON THE ARTS CASH FUND CREATED IN SECTION 23-9-108, C.R.S., AND FIVE HUNDRED THOUSAND DOLLARS SHALL BE TRANSFERRED TO THE FILM INCENTIVES CASH FUND CREATED IN SECTION 24-46-105.8, C.R.S. FOR THE 2006-07 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER, THE AMOUNTS TRANSFERRED PURSUANT TO THIS SUB-SUBPARAGRAPH (A) SHALL BE ADJUSTED BY THE RATE OF INFLATION FOR THE CALENDAR YEAR ENDING IN THE IMMEDIATELY PRECEDING FISCAL YEAR. AS USED IN THIS SUB-SUBPARAGRAPH (A), "INFLATION" MEANS THE PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX FOR THE DENVER-BOULDER CONSOLIDATED METROPOLITAN STATISTICAL AREA FOR ALL URBAN CONSUMERS, ALL GOODS, AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS, OR ITS SUCCESSOR INDEX.

(B) IF, BASED ON THE JUNE REVENUE FORECAST PREPARED BY THE LEGISLATIVE COUNCIL, THE STATE TREASURER DETERMINES THAT THE AMOUNT OF GENERAL FUND REVENUES FOR THE FISCAL YEAR WILL BE INSUFFICIENT TO ALLOW THE MAXIMUM AMOUNT OF GENERAL FUND APPROPRIATIONS PERMITTED BY SECTION 24-75-201.1 (1) (a) (II), C.R.S., TO BE MADE FOR THAT FISCAL YEAR, THE STATE TREASURER SHALL TRANSFER TO THE GENERAL FUND FROM THE MONEYS THAT WOULD

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OTHERWISE BE TRANSFERRED TO THE STATE COUNCIL ON THE ARTS CASH FUND, THE FILM INCENTIVES CASH FUND, AND THE COLORADO TRAVEL AND TOURISM PROMOTION FUND PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III) AT THE END OF THE FISCAL YEAR AN AMOUNT EQUAL TO THE LESSER OF THE FULL AMOUNT THAT WOULD OTHERWISE BE TRANSFERRED TO THE STATE COUNCIL ON THE ARTS CASH FUND, THE FILM INCENTIVES CASH FUND, AND THE COLORADO TRAVEL AND TOURISM PROMOTION FUND OR THE AMOUNT NECESSARY TO ALLOW THE MAXIMUM AMOUNT OF GENERAL FUND APPROPRIATIONS TO BE MADE FOR THE FISCAL YEAR. ANY REDUCTION IN THE AMOUNTS TRANSFERRED TO THE STATE COUNCIL ON THE ARTS CASH FUND, THE FILM INCENTIVES CASH FUND, AND THE COLORADO TRAVEL AND TOURISM PROMOTION FUND REQUIRED BY THIS SUB-SUBPARAGRAPH (B) SHALL BE PRO-RATED BASED ON THE AMOUNTS OTHERWISE REQUIRED TO BE TRANSFERRED TO SAID FUNDS PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III).

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(C) THE MONEYS TRANSFERRED PURSUANT TO THIS SUBPARAGRAPH (III) AT THE END OF A FISCAL YEAR SHALL BE APPROPRIATED FOR USE IN THE NEXT FISCAL YEAR.

**SECTION 3.** 12-47.1-701 (4) (a), Colorado Revised Statutes, is amended to read:

**12-47.1-701. Limited gaming fund.** (4) (a) At the end of each fiscal year, the state treasurer shall distribute the balance remaining in the limited gaming fund in accordance with the provisions of section 9 (5) (b) (II) of article XVIII of the state constitution; except that:

(I) For fiscal years commencing prior to July 1, 2003, and for ~~fiscal years commencing on or after July 1, 2004~~ THE 2004-05 FISCAL YEAR, forty-nine and eight-tenths percent shall be transferred to the general fund of this state and two-tenths of one percent shall be transferred to the Colorado travel and tourism promotion fund created in section 24-49.7-106, C.R.S.;

(II) For the 2003-04 state fiscal year, fifty percent shall be transferred to the general fund of the state; AND

(III) (A) EXCEPT AS PROVIDED IN SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (III), FOR THE 2005-06 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER, OF THE PORTION OF LIMITED GAMING FUND MONEYS THAT WOULD OTHERWISE BE TRANSFERRED TO THE GENERAL FUND PURSUANT TO SECTION 9 (5) (b) (II) OF ARTICLE XVIII OF THE STATE CONSTITUTION, AFTER THE TRANSFER TO THE LOCAL GOVERNMENT LIMITED GAMING IMPACT FUND REQUIRED BY SECTION 12-47.1-1601, NINETEEN MILLION DOLLARS SHALL BE TRANSFERRED TO THE COLORADO TRAVEL AND TOURISM PROMOTION FUND CREATED IN SECTION 24-49.7-106, C.R.S., ONE MILLION FIVE HUNDRED THOUSAND DOLLARS SHALL BE TRANSFERRED TO THE STATE COUNCIL ON THE ARTS CASH FUND CREATED IN SECTION 23-9-108, C.R.S., AND THREE MILLION DOLLARS SHALL BE TRANSFERRED TO THE NEW JOBS INCENTIVES CASH FUND CREATED IN SECTION 24-46-105.7, C.R.S. FOR THE 2006-07 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER, THE AMOUNTS TRANSFERRED PURSUANT TO THIS SUB-SUBPARAGRAPH (A) SHALL BE ADJUSTED BY THE RATE OF INFLATION FOR THE CALENDAR YEAR ENDING IN THE IMMEDIATELY PRECEDING FISCAL YEAR. AS USED IN THIS SUB-SUBPARAGRAPH (A), "INFLATION" MEANS THE PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX FOR THE DENVER-BOULDER CONSOLIDATED METROPOLITAN STATISTICAL AREA FOR ALL URBAN CONSUMERS, ALL GOODS, AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS, OR ITS SUCCESSOR INDEX.

(B) IF, BASED ON THE JUNE REVENUE FORECAST PREPARED BY THE LEGISLATIVE COUNCIL, THE STATE TREASURER DETERMINES THAT THE AMOUNT OF GENERAL FUND REVENUES FOR THE FISCAL YEAR WILL BE INSUFFICIENT TO ALLOW THE MAXIMUM AMOUNT OF GENERAL FUND APPROPRIATIONS PERMITTED BY SECTION 24-75-201.1 (1) (a) (II), C.R.S., TO BE MADE FOR THAT FISCAL YEAR, THE STATE TREASURER SHALL

TRANSFER TO THE GENERAL FUND FROM THE MONEYS THAT WOULD OTHERWISE BE TRANSFERRED TO THE STATE COUNCIL ON THE ARTS CASH FUND, THE NEW JOBS INCENTIVES CASH FUND, AND THE COLORADO TRAVEL AND TOURISM PROMOTION FUND PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III) AT THE END OF THE FISCAL YEAR AN AMOUNT EQUAL TO THE LESSER OF THE FULL AMOUNT THAT WOULD OTHERWISE BE TRANSFERRED TO THE STATE COUNCIL ON THE ARTS CASH FUND, THE NEW JOBS INCENTIVES CASH FUND, AND THE COLORADO TRAVEL AND TOURISM PROMOTION FUND OR THE AMOUNT NECESSARY TO ALLOW THE MAXIMUM AMOUNT OF GENERAL FUND APPROPRIATIONS TO BE MADE FOR THE FISCAL YEAR. ANY REDUCTION IN THE AMOUNTS TRANSFERRED TO THE STATE COUNCIL ON THE ARTS CASH FUND, THE NEW JOBS INCENTIVES CASH FUND, AND THE COLORADO TRAVEL AND TOURISM PROMOTION FUND REQUIRED BY THIS SUB-SUBPARAGRAPH (B) SHALL BE PRO-RATED BASED ON THE AMOUNTS OTHERWISE REQUIRED TO BE TRANSFERRED TO SAID FUNDS PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III).

(C) THE MONEYS TRANSFERRED PURSUANT TO THIS SUBPARAGRAPH (III) AT THE END OF A FISCAL YEAR SHALL BE APPROPRIATED FOR USE IN THE NEXT FISCAL YEAR.

**SECTION 4.** 12-47.1-701 (4) (a), Colorado Revised Statutes, is amended to read:

**12-47.1-701. Limited gaming fund.** (4) (a) At the end of each fiscal year, the state treasurer shall distribute the balance remaining in the limited gaming fund in accordance with the provisions of section 9 (5) (b) (II) of article XVIII of the state constitution; except that:

(I) For fiscal years commencing prior to July 1, 2003, and for ~~fiscal years commencing on or after July 1, 2004~~ THE 2004-05 FISCAL YEAR, forty-nine and eight-tenths percent shall be transferred to the general fund of this state and two-tenths of one percent shall be transferred to the Colorado travel and tourism promotion fund created in section 24-49.7-106, C.R.S.;

(II) For the 2003-04 ~~state~~ fiscal year, fifty percent shall be transferred to the general fund of the state; AND

(III) (A) EXCEPT AS PROVIDED IN SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (III), FOR THE 2005-06 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER, OF THE PORTION OF LIMITED GAMING FUND MONEYS THAT WOULD OTHERWISE BE TRANSFERRED TO THE GENERAL FUND PURSUANT TO SECTION 9 (5) (b) (II) OF ARTICLE XVIII OF THE STATE CONSTITUTION, AFTER THE TRANSFER TO THE LOCAL GOVERNMENT LIMITED GAMING IMPACT FUND REQUIRED BY SECTION 12-47.1-1601, NINETEEN MILLION DOLLARS SHALL BE TRANSFERRED TO THE COLORADO TRAVEL AND TOURISM PROMOTION FUND CREATED IN SECTION 24-49.7-106, C.R.S., ONE MILLION FIVE HUNDRED THOUSAND DOLLARS SHALL BE TRANSFERRED TO THE STATE COUNCIL ON THE ARTS CASH FUND CREATED IN SECTION 23-9-108, C.R.S., FIVE HUNDRED THOUSAND DOLLARS SHALL BE TRANSFERRED TO THE FILM INCENTIVES CASH FUND CREATED IN SECTION 24-46-105.8, C.R.S., AND THREE MILLION DOLLARS SHALL BE TRANSFERRED TO THE NEW JOBS INCENTIVES CASH FUND CREATED IN SECTION 24-46-105.7, C.R.S. FOR THE 2006-07 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER, THE AMOUNTS TRANSFERRED PURSUANT TO THIS SUB-SUBPARAGRAPH (A) SHALL BE ADJUSTED BY THE RATE OF INFLATION FOR THE CALENDAR YEAR ENDING IN THE IMMEDIATELY PRECEDING FISCAL YEAR. AS USED IN THIS SUB-SUBPARAGRAPH (A), "INFLATION" MEANS THE PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX FOR THE DENVER-BOULDER CONSOLIDATED METROPOLITAN STATISTICAL AREA FOR ALL URBAN CONSUMERS, ALL GOODS, AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS, OR ITS SUCCESSOR INDEX.

(B) IF, BASED ON THE JUNE REVENUE FORECAST PREPARED BY THE LEGISLATIVE COUNCIL, THE STATE TREASURER DETERMINES THAT THE

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AMOUNT OF GENERAL FUND REVENUES FOR THE FISCAL YEAR WILL BE INSUFFICIENT TO ALLOW THE MAXIMUM AMOUNT OF GENERAL FUND APPROPRIATIONS PERMITTED BY SECTION 24-75-201.1 (1) (a) (II), C.R.S., TO BE MADE FOR THAT FISCAL YEAR, THE STATE TREASURER SHALL TRANSFER TO THE GENERAL FUND FROM THE MONEYS THAT WOULD OTHERWISE BE TRANSFERRED TO THE STATE COUNCIL ON THE ARTS CASH FUND, THE FILM INCENTIVES CASH FUND, THE NEW JOBS INCENTIVES CASH FUND, AND THE COLORADO TRAVEL AND TOURISM PROMOTION FUND PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III) AT THE END OF THE FISCAL YEAR AN AMOUNT EQUAL TO THE LESSER OF THE FULL AMOUNT THAT WOULD OTHERWISE BE TRANSFERRED TO THE STATE COUNCIL ON THE ARTS CASH FUND, THE FILM INCENTIVES CASH FUND, THE NEW JOBS INCENTIVES CASH FUND, AND THE COLORADO TRAVEL AND TOURISM PROMOTION FUND OR THE AMOUNT NECESSARY TO ALLOW THE MAXIMUM AMOUNT OF GENERAL FUND APPROPRIATIONS TO BE MADE FOR THE FISCAL YEAR. ANY REDUCTION IN THE AMOUNTS TRANSFERRED TO THE STATE COUNCIL ON THE ARTS CASH FUND, THE FILM INCENTIVES CASH FUND, THE NEW JOBS INCENTIVES CASH FUND, AND THE COLORADO TRAVEL AND TOURISM PROMOTION FUND REQUIRED BY THIS SUB-SUBPARAGRAPH (B) SHALL BE PRO-RATED BASED ON THE AMOUNTS OTHERWISE REQUIRED TO BE TRANSFERRED TO SAID FUNDS PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III).

(C) THE MONEYS TRANSFERRED PURSUANT TO THIS SUBPARAGRAPH (III) AT THE END OF A FISCAL YEAR SHALL BE APPROPRIATED FOR USE IN THE NEXT FISCAL YEAR."

Renumber succeeding sections accordingly.

Page 5 of the reengrossed bill, after line 7, insert the following:

"SECTION 7. Article 9 of title 23, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**23-9-108. State council on the arts cash fund - creation.**

(1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE STATE COUNCIL ON THE ARTS CASH FUND, REFERRED TO IN THIS SECTION AS THE "FUND". THE FUND SHALL CONSIST OF:

(a) MONEYS TRANSFERRED TO THE FUND IN ACCORDANCE WITH SECTION 12-47.1-701 (4) (a), C.R.S.; AND

(b) ANY MONEYS APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY.

(2) THE MONEYS IN THE FUND SHALL BE ANNUALLY APPROPRIATED BY THE GENERAL ASSEMBLY FOR THE PURPOSES OF THIS ARTICLE, INCLUDING ADMINISTRATION OF THIS ARTICLE BY THE COUNCIL. ALL MONEYS NOT EXPENDED OR ENCUMBERED, AND ALL INTEREST EARNED ON THE INVESTMENT OR DEPOSIT OF MONEYS IN THE FUND, SHALL REMAIN IN THE FUND AND SHALL NOT REVERT TO THE GENERAL FUND AT THE END OF ANY FISCAL YEAR.

SECTION 8. 24-46-105.8, Colorado Revised Statutes, as enacted by House Bill 06-1362, enacted at the Second Regular Session of the Sixty-fifth General Assembly, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**24-46-105.8. Performance-based incentive for film production in Colorado - film incentives cash fund - definitions.** (6) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE FILM INCENTIVES CASH FUND, REFERRED TO IN THIS SECTION AS THE "FUND". THE FUND SHALL CONSIST OF:

(I) MONEYS TRANSFERRED TO THE FUND IN ACCORDANCE WITH SECTION 12-47.1-701 (4) (a), C.R.S.; AND

(II) ANY MONEYS APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY.

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(b) THE MONEYS IN THE FUND SHALL BE ANNUALLY APPROPRIATED BY THE GENERAL ASSEMBLY FOR THE PURPOSES OF THIS SECTION. ALL MONEYS NOT EXPENDED OR ENCUMBERED, AND ALL INTEREST EARNED ON THE INVESTMENT OR DEPOSIT OF MONEYS IN THE FUND, SHALL REMAIN IN THE FUND AND SHALL NOT REVERT TO THE GENERAL FUND AT THE END OF ANY FISCAL YEAR.

**SECTION 9.** 24-46-105.7, Colorado Revised Statutes, as enacted by House Bill 06-1017, enacted at the Second Regular Session of the Sixty-fifth General Assembly, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**24-46-105.7. Performance-based incentive for new job creation - new jobs incentives cash fund - definitions.** (9) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE NEW JOBS INCENTIVES CASH FUND, REFERRED TO IN THIS SECTION AS THE "FUND". THE FUND SHALL CONSIST OF:

(I) MONEYS TRANSFERRED TO THE FUND IN ACCORDANCE WITH SECTION 12-47.1-701 (4) (a); AND

(II) ANY MONEYS APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY.

(b) THE MONEYS IN THE FUND SHALL BE ANNUALLY APPROPRIATED BY THE GENERAL ASSEMBLY FOR THE PURPOSES OF THIS SECTION. ALL MONEYS NOT EXPENDED OR ENCUMBERED, AND ALL INTEREST EARNED ON THE INVESTMENT OR DEPOSIT OF MONEYS IN THE FUND, SHALL REMAIN IN THE FUND AND SHALL NOT REVERT TO THE GENERAL FUND AT THE END OF ANY FISCAL YEAR."

ReNUMBER succeeding sections accordingly.

Page 5, strike lines 14 and 15 and substitute the following:

"fiscal year beginning July 1, 2006, the sum of nineteen million dollars (\$19,000,000) and 3.0 FTE, or so much thereof";

line 23, strike "twenty-one million eight";

strike line 24 and substitute the following:

"nineteen million dollars (\$19,000,000), or so much thereof as";

line 27, after "appropriated," insert "out of any moneys in the state council on the arts cash fund, created in section 23-9-108, Colorado Revised Statutes, not otherwise appropriated,".

Page 6, line 1, strike "not";

strike lines 2 and 3 and substitute the following:

"in the department of";

line 4, strike "2005," and substitute "2006,";

strike line 5 and substitute the following:

"one million five hundred thousand dollars (\$1,500,000) and 2.0 FTE, or so";

strike lines 7 through 14 and substitute the following:

**SECTION 13. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the film incentives cash fund created in section 24-46-105.8, Colorado Revised Statutes, not otherwise appropriated, to the Colorado economic development commission in the office of economic development, office of the governor, for the fiscal year beginning July 1, 2006, the sum of five

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hundred thousand dollars (\$500,000), or so much thereof as may be necessary, for the implementation of this act.

**SECTION 14. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the new jobs incentives cash fund created in section 24-46-105.7, Colorado Revised Statutes, not otherwise appropriated, to the Colorado economic development commission in the office of economic development, office of the governor, for the fiscal year beginning July 1, 2006, the sum of three million dollars (\$3,000,000), or so much thereof as may be necessary, for the implementation of this act.

**SECTION 15. Effective date.** (1) Except as otherwise provided in subsections (2), (3), (4), (5), (6), (7), (8), and (9) of this section, this act shall take effect upon passage.

(2) Section 1 of this act shall only take effect if House Bill 06-1017 and House Bill 06-1362 are not enacted at the second regular session of the sixty-fifth general assembly and do not become law.

(3) Section 2 of this act shall only take effect if:

(a) House Bill 06-1362 is enacted at the at the second regular session of the sixty-fifth general assembly and becomes law; and

(b) House Bill 06-1017 is not enacted at the at the second regular session of the sixty-fifth general assembly and does not become law.

(4) Section 3 of this act shall only take effect if:

(a) House Bill 06-1017 is enacted at the at the second regular session of the sixty-fifth general assembly and becomes law; and

(b) House Bill 06-1362 is not enacted at the at the second regular session of the sixty-fifth general assembly and does not become law.

(5) Section 4 of this act shall only take effect if:

(a) House Bill 06-1362 is enacted at the second regular session of the sixty-fifth general assembly and becomes law; and

(b) House Bill 06-1017 is enacted at the second regular session of the sixty-fifth general assembly and becomes law.

(6) Sections 8 and 13 of this act shall only take effect if House Bill 06-1362 is enacted at the second regular session of the sixty-fifth general assembly and becomes law.

(7) Sections 9 and 14 of this act shall only take effect if House Bill 06-1017 is enacted at the second regular session of the sixty-fifth general assembly and becomes law.

(8) Section 10 of this act shall only take effect if House Bill 06-1384 is enacted at the second regular session of the sixty-fifth general assembly and becomes law.

(9) Section 11 of this act shall only take effect if House Bill 06-1384 is not enacted at the second regular session of the sixty-fifth general assembly and does not become law."

Renumber succeeding section accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1008** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 8, strike line 5 and substitute the following:

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**"SECTION 2. Appropriation - adjustments to the 2006 long bill. (1) In addition to any other";**

after line 15, insert the following:

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

(a) The letter notation associated with the cash funds exempt appropriation to the department of education, assistance to public schools, public school finance, for the state share of districts' total program funding, is adjusted to decrease by five hundred thirty-one thousand five hundred eighty dollars (\$531,580) the portion of the appropriation from the state public school fund that is estimated to be from federal mineral leasing revenues.

(b) The letter notation associated with the cash funds exempt appropriation to the department of education, assistance to public schools, public school finance, for the state share of districts' total program funding, is adjusted to increase by five hundred thirty-one thousand five hundred eighty dollars (\$531,580) the portion of the appropriation from the state public school fund that is estimated to be from reserves."

Appropriations After consideration on the merits, the Committee recommends that **HB06-1018** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB06-1085** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB06-1132** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB06-1154** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, strike lines 12 through 17.

Appropriations After consideration on the merits, the Committee recommends that **HB06-1274** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB06-1281** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 8, line 26, after "(k)" insert "(I)".

Page 9, strike line 9, and substitute the following:

"PURPOSES AUTHORIZED BY THIS PARAGRAPH (k).

(II) THE UTILITY SHALL";

line 12, strike the period and add "OR WHETHER THE UTILITY RECEIVES A GRANT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH (k).".

Page 10, strike lines 16 through 20, and substitute the following:

**"SECTION 4. Effective date.** This act shall take effect upon passage; except that section 40-2-123 (2) (k) (I), Colorado Revised Statutes, and Section 3 of this act shall only take effect if House Bill 06-1322 is enacted at the second regular session of the sixty-fifth general

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assembly and becomes law."

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1313** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 11, after line 14, insert the following:

"**SECTION 18. Effective date.** This act shall take effect July 1, 2006."

Renumber succeeding section accordingly.

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### INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

**SJR06-031** by Senator(s) Teck; also Representative(s) McGihon--Concerning the proclamation of May 2006 as "Hepatitis C Awareness Month".

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

**SJR06-032** by Senator(s) Gordon; also Representative(s) Plant--Concerning the greening of state government buildings.

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

**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.

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

**SR06-011** by Senator(s) Entz; --Concerning Colorado Civil Air Patrol Cadet Program Day.

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

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### CHANGE IN SPONSORSHIP

Upon announcement of President Fitz-Gerald, Senator Veiga replaced Senator Spence as the prime sponsor on HB06-1017.

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### INTRODUCTION OF BILLS -- FIRST READING

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

**SB06-231** by Senator(s) Veiga, Bacon, Fitz-Gerald, Groff, Grossman, Tapia, Teck; also Representative(s) Hodge, Larson, Coleman, Garcia, Harvey, May M., Pommer, Ragsdale, Solano, Soper, Stengel, Vigil--Concerning an exception to the prohibition against manufacturers of motor vehicles selling used vehicles.  
Agriculture, Natural Resources & Energy

**SB06-232** by Senator(s) Tochtrop; also Representative(s) Hodge--Concerning certification of certain persons engaged in remediation of property contaminated by an illegal drug laboratory.  
Education

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- HB06-1017** by Representative(s) Hall; also Senator(s) Veiga, Spence--Concerning the creation of a performance-based incentive for employers that create high quality new jobs in the state, and making an appropriation therefor.  
Business, Labor and Technology1  
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- HB06-1057** by Representative(s) Stafford; also Senator(s) Johnson--Concerning criminal acts involving animals, and making an appropriation in connection therewith.  
State, Veterans & Military Affairs7  
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- HB06-1304** by Representative(s) Sullivan; also Senator(s) Taylor--Concerning contributions to volunteer firefighter pension funds, and making an appropriation therefor.  
Finance11  
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- HB06-1362** by Representative(s) Massey, Jahn; also Senator(s) Veiga--Concerning the creation of performance-based incentives for the motion picture industry to work in Colorado, and making an appropriation therefor.  
Business, Labor and Technology15  
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- HB06-1363** by Representative(s) Benefield, McGihon, Solano, Soper, Todd; also Senator(s) Shaffer--Concerning grants for programs designed to prevent juvenile delinquency, and making an appropriation therefor.  
Judiciary20  
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- HB06-1380** by Representative(s) Riesberg; also Senator(s) Veiga--Concerning the development of measures to reduce the theft of retail goods.  
Business, Labor and Technology25  
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- HB06-1392** by Representative(s) Kerr A.; also Senator(s) Boyd--Concerning the authority of the division of alcohol and drug abuse to regulate treatment facilities.  
Health and Human Services29  
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**MESSAGE FROM THE HOUSE**

April 19, 2006  
Madame President:

The House has adopted and returns herewith SJR06-028.

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**MESSAGE FROM THE REVISOR OF STATUTES**

April 19, 2006

We herewith transmit:

- Without comment, as amended, HB06-1149, 1151, and 1384.
- Without comment, as amended, SB06-204.
- With comment, as amended, HB06-1387.

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**TRIBUTES**

Honoring:

Zachariah Randle Tuko Bubar -- by Senator Hagedorn.

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On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of April 19 was laid over until Thursday, April 20, retaining its place on the calendar.

Consideration of Resolutions: SJR06-019, SJR06-022, SJR06-015.  
Consideration of Memorials: SJM06-001, HJM06-1002.

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Consideration of House Amendments to Senate Bills: SB06-051, SB06-014, SB06-041. 1  
Consideration of Governor's Appointments: 2  
Members of the Read-To-Achieve Board. 3  
Consideration of Conference Committee Reports: HB06-1288, HB06-1209. 4  
Conference Committees to Report: HB06-1121, HB06-1169, HB06-1251. 5

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On motion of Senator Gordon, the Senate adjourned until 9:00 a.m., Thursday, April 20, 2006. 6  
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Approved: 10  
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Joan Fitz-Gerald 13  
President of the Senate 14  
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Attest: 18  
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Karen Goldman 23  
Secretary of the Senate 24  
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