

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

58th Legislative Day

Thursday, March 9, 2006

Prayer	By the chaplain, Rev. Paul Kottke, University Park United Methodist Church, Denver.	11
Pledge	By Senator Gordon.	13
Call to Order	By the President at 9:00 a.m.	15
Roll Call	Present--32. Absent--1; Tupa. Excused--2; Entz, Traylor. Present later--Traylor, Tupa.	18 19 20 21
Quorum	The President announced a quorum present.	23
Reading of Journal	On motion of Senator Teck, reading of the Journal of March 8, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.	25 26

MESSAGE FROM THE HOUSE

March 8, 2006

Madame President:

In response to the request of the Senate for the recall of HB06-1087, the bill is transmitted herewith.

INTRODUCTION OF RESOLUTIONS

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

SR06-005	by Senator(s) May R.; --Concerning the designation of March 14, 2006, as "Colorado Space Day".	46
	Laid over one day under Senate Rule 30(c).	47
HJR06-1017	by Representative(s) Penry, Schultheis, Buescher, Crane, Kerr, Knoedler, Liston, Lundberg, Stafford, White; also Senator(s) Kester--Concerning urging the United States government to engage the government of Mexico to abate the flow of methamphetamine from Mexico into the United States.	48 49 50 51 52 53 54
	Judiciary	55
HJR06-1018	by Representative(s) Witwer, Larson, Curry, Kerr, McCluskey, McGihon, Pommer, Rose, White; also Senator(s) Traylor, Tochtrop--Concerning the proposed sale of United States forest lands to provide funding to reauthorize the federal "Secure Rural Schools and Community Self-Determination Act of 2000", and, in connection therewith, urging the United States Forest Service to rescind the proposal for the sale of these lands.	56 57 58 59 60 61
	Laid over one day under Senate Rule 30(e).	62 63

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INTRODUCTION OF MEMORIALS

The following memorial was read by title:

SJM06-001 by Senator(s) Tochtrop; also Representative(s) Solano--Concerning border security.

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

INTRODUCTION OF BILLS -- FIRST READING

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

SB06-208 by Senator(s) Hanna; also Representative(s) Larson--Concerning the creation of the health care reform committee for the purpose of studying health care reform issues.
Health and Human Services

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

HB06-1256 by Representative(s) Buescher, Plant, Hall; also Senator(s) Keller, Tapia, Owen--Concerning modifications to certain provisions of total compensation for employees in the state personnel system.
State, Veterans & Military Affairs

THIRD READING OF BILLS -- FINAL PASSAGE

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

HB06-1143 by Representative(s) Gallegos; also Senator(s) Kester--Concerning the authority of a county clerk and recorder to request criminal history records for individuals who assist in the process of conducting elections.

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

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

SB06-129 by Senator(s) Keller, Owen, Tapia; also Representative(s) Buescher, Hall, Plant--Concerning the utilization of a cash system of accounting for nonadministrative expenditures that qualify for federal financial participation under title XIX of the federal "Social Security Act".

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

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

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

SB06-027 by Senator(s) Hanna, Takis, Taylor; also Representative(s) Coleman, Vigil--Concerning penalties for retail food establishment violations.

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

YES	23	NO	10	EXCUSED	1	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	N	Tochtrop	Y
Brophy	N	Isgar	Y	Owen	Y	Traylor	N
Dyer	N	Johnson	Y	Sandoval	*	Tupa	Y
Entz	E	Jones	N	Shaffer	Y	Veiga	Y
Evans	Y	Keller	Y	Spence	N	Wiens	N
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	N	Tapia	Y	Windels	Y
Grossman	Y	May R.	N	Taylor	Y	President	Y
Hagedorn	Y	McElhany	N	Teck	Y		

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

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

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

SB06-020 by Senator(s) Hanna; also Representative(s) Green--Concerning the creation of a nurse licensure compact, and making an appropriation therefor.

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

YES	32	NO	2	EXCUSED	1	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	Y	Tochtrop	Y
Brophy	Y	Isgar	Y	Owen	Y	Traylor	Y
Dyer	N	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	E	Jones	Y	Shaffer	Y	Veiga	Y
Evans	Y	Keller	Y	Spence	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	Y	Tapia	Y	Windels	Y
Grossman	Y	May R.	N	Taylor	Y	President	Y
Hagedorn	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: Isgar, Shaffer, Tochtrop, Williams and Windels.

HB06-1265 by Representative(s) Frangas; also Senator(s) Sandoval--Concerning additional requirements pertaining to lead-based paint abatement.

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

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YES	32	NO	2	EXCUSED	1	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	Y	Tochtrop	Y
Brophy	N	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	E	Jones	Y	Shaffer	Y	Veiga	Y
Evans	Y	Keller	Y	Spence	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	Y	Tapia	Y	Windels	Y
Grossman	Y	May R.	Y	Taylor	N	President	Y
Hagedorn	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: Groff, Hanna, Tupa and Williams.

HB06-1069 by Representative(s) Crane; also Senator(s) Hanna--Concerning an exemption from the prohibition against the corporate practice of podiatry for a podiatrist employed by a health care entity.

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

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

HB06-1079 by Representative(s) Frangas, Coleman, Green, Penry; also Senator(s) Johnson--Concerning penalties against medical providers for the unlawful receipt of payment from medicaid recipients.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	Y	Tochtrop	Y
Brophy	Y	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	E	Jones	Y	Shaffer	Y	Veiga	Y
Evans	Y	Keller	Y	Spence	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	Y	Tapia	Y	Windels	Y
Grossman	Y	May R.	N	Taylor	Y	President	Y
Hagedorn	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: Tupa.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills -- Consent Calendar (HB06-1250, HB06-1093, HB06-1020, HB06-1103) of March 9 was laid over until Friday, March 10, retaining its place on the calendar.

- Committee of the Whole On motion of Senator Veiga, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Veiga was called to the Chair to act as Chairman. 1
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- GENERAL ORDERS -- SECOND READING OF BILLS** 5
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- 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: 7
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- HB06-1181** by Representative(s) Cerbo; also Senator(s) Tochtrop--Concerning county sheriffs, and, in connection therewith, limiting the power of a sheriff to revoke the appointment of a deputy at will and modifying the liability of a sheriff for certain acts. 10
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- Ordered revised and placed on the calendar for Third Reading and Final Passage. (For further action, see Amendments to the Report of the Committee of the Whole.) 15
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- HB06-1177** by Representative(s) McGihon; also Senator(s) Shaffer--Concerning the regulation of asbestos abatement activities, and, in connection therewith, continuing the asbestos control program. 18
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- Ordered revised and placed on the calendar for Third Reading and Final Passage. 23
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- HB06-1005** by Representative(s) Pommer, Benefield, King, Merrifield; also Senator(s) Bacon, Tupa, Windels, Williams--Concerning the authorization of additional school district revenues to fund costs associated with full-day kindergarten programs. 26
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- Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, March 3, page 402 and placed in members' bill files.) 30
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- As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 33
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- HB06-1007** by Representative(s) Decker; also Senator(s) Williams--Concerning the transfer of a motor vehicle to a person not licensed as a motor vehicle dealer for the purpose of scrapping the motor vehicle. 37
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- Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, March 6, page 405 and placed in members' bill files.) 41
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- As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 44
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- HB06-1031** by Representative(s) Larson; also Senator(s) Isgar--Concerning the reimbursement allowed to directors of the southwestern water conservation district for nontravel expenses. 48
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- Ordered revised and placed on the calendar for Third Reading and Final Passage. 51
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- HB06-1032** by Representative(s) Hodge; also Senator(s) Brophy--Concerning inflation adjustments for irrigation districts. 54
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- Amendment No. 1, Agriculture, Natural Resources and Energy Committee Amendment.
(Printed in Senate Journal, March 6, page 409 and placed in members' bill files.) 57
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- Amendment No. 2(L.001), by Senator Brophy. 60
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- Amend the Agriculture, Natural Resources & Energy Committee Report, dated March 2, 2006, page 1, line 3, strike "**date.**" and substitute "**date - applicability.**". 62
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- As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 67
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HB06-1174 by Representative(s) Soper, Carroll M., Cerbo, Larson, Sullivan; also Senator(s) Shaffer--
Concerning workers' compensation coverage for workers in the construction industry.

Amendment No. 1, Business, Labor, and Technology Committee Amendment.
(Printed in Senate Journal, March 2, page 385 and placed in members' bill files.)

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

SB06-090 by Senator(s) Wiens, Johnson; also Representative(s) Harvey--Concerning local government
cooperation with federal officials regarding the immigration status of persons in this state.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 3, page 391 and placed in members' bill files.)

Amendment No. 2(L.005), by Senator Wiens.

Amend printed bill, page 3, line 21, after the period, add "IF A COUNTY
SHERIFF OR PEACE OFFICER AT THE DETENTION FACILITY WHERE THE
ARRESTEE IS BEING HELD REPORTS THE ARRESTEE TO THE FEDERAL
IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICE ON BEHALF OF THE
ARRESTING OFFICER, THE ARRESTING OFFICER SHALL BE DEEMED TO BE IN
COMPLIANCE WITH THIS SUBSECTION."

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

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

A majority of all members elected to the Senate having voted in the affirmative, the bill
was referred to the Committee on Appropriations.

HB06-1179 by Representative(s) Hall; also Senator(s) Tapia--Concerning peace officer authority in
Colorado for certain federal law enforcement officers.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 7, page 417 and placed in members' bill files.)

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

HB06-1125 by Representative(s) Coleman, Larson, Riesberg, Ragsdale, Pommer, Frangas, Gallegos,
Green, Judd, Lindstrom, Merrifield, Vigil; also Senator(s) Groff, Williams, Grossman--
Concerning the enforcement of an offense involving failure to use an appropriate motor
vehicle restraining device.

Amendment No. 1(L.011), by Senator McElhany.

Amend reengrossed bill, page 3, after line 12, insert the following:

"SECTION 5. 42-4-1701 (4) (a) (I) (D), Colorado Revised
Statutes, is amended to read:

**42-4-1701. Traffic offenses and infractions classified -
penalties - penalty and surcharge schedule - repeal.** (4) (a) (I) Except
as provided in paragraph (c) of subsection (5) of this section, every
person who is convicted of, who admits liability for, or against whom a
judgment is entered for a violation of any provision of this title to which
the provisions of paragraph (a) or (b) of subsection (5) of this section
apply shall be fined or penalized, and have a surcharge levied thereon
pursuant to section 24-4.2-104 (1) (b) (I), C.R.S., in accordance with the
penalty and surcharge schedule set forth in sub-subparagraphs (A) to (P)
of this subparagraph (I); or, if no penalty or surcharge is specified in the
schedule, the penalty for class A and class B traffic infractions shall be
fifteen dollars, and the surcharge shall be two dollars. These penalties
and surcharges shall apply whether the defendant acknowledges the
defendant's guilt or liability in accordance with the procedure set forth by
paragraph (a) of subsection (5) of this section or is found guilty by a court
of competent jurisdiction or has judgment entered against the defendant

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by a county court magistrate. Penalties and surcharges for violating specific sections shall be as follows:

Section Violated	Penalty	Surcharge
(D) Equipment violations:		
42-4-201	\$ 35.00	\$ 5.20
42-4-202	35.00	5.20
42-4-204	15.00	2.60
42-4-205	15.00	2.60
42-4-206	15.00	2.60
42-4-207	15.00	2.60
42-4-208	15.00	2.60
42-4-209	15.00	2.60
42-4-210	15.00	2.60
42-4-211	15.00	2.60
42-4-212	15.00	2.60
42-4-213	15.00	2.60
42-4-214	15.00	2.60
42-4-215	15.00	2.60
42-4-216	15.00	2.60
42-4-217	15.00	2.60
42-4-218	15.00	2.60
42-4-219	15.00	2.60
42-4-220	15.00	2.60
42-4-221	15.00	2.60
42-4-222 (1)	15.00	2.60
42-4-223	15.00	2.60
42-4-224	15.00	2.60
42-4-225 (1)	15.00	2.60
42-4-226	15.00	2.60
42-4-227 (1)	50.00	7.80
42-4-227 (2)	15.00	2.60
42-4-228 (1), (2), (3), (5), or (6)	15.00	2.60
42-4-229	15.00	2.60
42-4-230	15.00	2.60
42-4-231	15.00	2.60
42-4-232	15.00	2.60
42-4-233	75.00	11.70
42-4-234	15.00	2.60
42-4-235	50.00	7.80
42-4-236	50.00 75.00	7.80 11.70
42-4-237	15.00 25.00	2.60 3.50
42-4-1411	15.00	2.60
42-4-1412	15.00	2.60
42-4-1901	35.00	5.20".

Renumber succeeding sections accordingly.

Amendment No. 2(L.012), by Senator Spence.

Amend reengrossed bill, page 2, line 21, before "(5)", insert "(3) (d) and" and strike "is" and substitute "are";

strike line 24 and substitute the following:

penalty. (3) Except as provided in section 42-2-105.5, the requirement of subsection (2) of this section shall not apply to:

(d) A person with a physically or psychologically disabling condition whose physical or psychological disability prevents appropriate restraint by a safety belt system if such person possesses a written statement by a physician OR CHIROPRACTOR certifying the condition, as well as stating the reason why such restraint is inappropriate;

(5) No driver in a motor vehicle shall be cited for a violation".

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

(For further action, see Amendments to the Report of the Committee of the Whole.)

SB06-176 by Senator(s) Spence; also Representative(s) Massey--Concerning requirements for educators.

Amendment No. 1, Education Committee Amendment.

(Printed in Senate Journal, February 16, pages 217-218 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, March 3, pages 393-394 and placed in members' bill files.)

Amendment No. 3(L.003), by Senator Gordon.

Amend printed bill, page 4, line 23, strike "HOLDER" and substitute "HOLDER, WITHOUT GOOD CAUSE,".

Page 6, line 4, after "(2)", insert "WITHOUT GOOD CAUSE";

line 19, strike "CONTRACT." and substitute "CONTRACT, WITHOUT GOOD CAUSE.".

As amended, laid over until Friday, March 10, retaining its place on the calendar.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (HB06-1112, SB06-138, SB06-052, SB06-176 as amended) of March 9, was laid over until Friday, March 10, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB06-1181 by Representative(s) Cerbo; also Senator(s) Tochtrop--Concerning county sheriffs, and, in connection therewith, limiting the power of a sheriff to revoke the appointment of a deputy at will and modifying the liability of a sheriff for certain acts.

Senator Wiens moved to amend the Report of the Committee of the Whole to show that the following Wiens floor amendment, (L.001) to HB06-1181, did pass.

Amend reengrossed bill, page 2, line 12, strike "SHERIFF." and substitute "SHERIFF; EXCEPT THAT THIS REQUIREMENT SHALL NOT APPLY DURING A STATE OF DISASTER EMERGENCY DECLARED BY THE GOVERNOR PURSUANT TO SECTION 24-32-2104 (4), C.R.S.".

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

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

HB06-1125 by Representative(s) Coleman, Larson, Riesberg, Ragsdale, Pommer, Frangas, Gallegos, Green, Judd, Lindstrom, Merrifield, Vigil; also Senator(s) Groff, Williams, Grossman--Concerning the enforcement of an offense involving failure to use an appropriate motor vehicle restraining device.

Senator Tupa moved to amend the Report of the Committee of the Whole to show that the following Tupa floor amendment, (L.010) to HB 06-1125, did pass.

Amend reengrossed bill, page 2, strike lines 21 through 26.

Page 3, strike lines 1 through 12 and substitute the following:

"SECTION 3. 42-4-1701 (4) (a) (I) (D), Colorado Revised Statutes, is amended to read:

42-4-1701. Traffic offenses and infractions classified - penalties - penalty and surcharge schedule - repeal. (4) (a) (I) Except as provided in paragraph (c) of subsection (5) of this section, every person who is convicted of, who admits liability for, or against whom a judgment is entered for a violation of any provision of this title to which the provisions of paragraph (a) or (b) of subsection (5) of this section apply shall be fined or penalized, and have a surcharge levied thereon pursuant to section 24-4.2-104 (1) (b) (I), C.R.S., in accordance with the penalty and surcharge schedule set forth in sub-subparagraphs (A) to (P) of this subparagraph (I); or, if no penalty or surcharge is specified in the schedule, the penalty for class A and class B traffic infractions shall be fifteen dollars, and the surcharge shall be two dollars. These penalties and surcharges shall apply whether the defendant acknowledges the defendant's guilt or liability in accordance with the procedure set forth by paragraph (a) of subsection (5) of this section or is found guilty by a court of competent jurisdiction or has judgment entered against the defendant by a county court magistrate. Penalties and surcharges for violating specific sections shall be as follows:

Section Violated	Penalty	Surcharge
(D) Equipment violations:		
42-4-201	\$ 35.00	\$ 5.20
42-4-202	35.00	5.20
42-4-204	15.00	2.60
42-4-205	15.00	2.60
42-4-206	15.00	2.60
42-4-207	15.00	2.60
42-4-208	15.00	2.60
42-4-209	15.00	2.60
42-4-210	15.00	2.60
42-4-211	15.00	2.60
42-4-212	15.00	2.60
42-4-213	15.00	2.60
42-4-214	15.00	2.60
42-4-215	15.00	2.60
42-4-216	15.00	2.60
42-4-217	15.00	2.60
42-4-218	15.00	2.60
42-4-219	15.00	2.60
42-4-220	15.00	2.60
42-4-221	15.00	2.60
42-4-222 (1)	15.00	2.60
42-4-223	15.00	2.60
42-4-224	15.00	2.60
42-4-225 (1)	15.00	2.60
42-4-226	15.00	2.60
42-4-227 (1)	50.00	7.80
42-4-227 (2)	15.00	2.60
42-4-228 (1), (2), (3), (5), or (6)	15.00	2.60
42-4-229	15.00	2.60
42-4-230	15.00	2.60
42-4-231	15.00	2.60
42-4-232	15.00	2.60
42-4-233	75.00	11.70
42-4-234	15.00	2.60
42-4-235	50.00	7.80
42-4-236	50.00	7.80
42-4-237	15.00 100	2.60 15.60
42-4-1411	15.00	2.60
42-4-1412	15.00	2.60
42-4-1901	35.00	5.20".

Renumber succeeding sections accordingly.

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

YES	8	NO	26	EXCUSED	1	ABSENT	0
Bacon	N	Hanna	N	Mitchell	N	Tochtrop	N
Brophy	N	Isgar	N	Owen	N	Traylor	N
Dyer	N	Johnson	Y	Sandoval	N	Tupa	Y
Entz	E	Jones	Y	Shaffer	N	Veiga	N
Evans	N	Keller	N	Spence	Y	Wiens	Y
Gordon	N	Kester	Y	Takis	N	Williams	N
Groff	N	Lamborn	N	Tapia	N	Windels	N
Grossman	N	May R.	N	Taylor	Y	President	N
Hagedorn	N	McElhany	N	Teck	Y		

HB06-1174 by Representative(s) Soper, Carroll M., Cerbo, Larson, Sullivan; also Senator(s) Shaffer-- Concerning workers' compensation coverage for workers in the construction industry.

Senator Evans moved to amend the Report of the Committee of the Whole to show that the following Evans floor amendment, (L.008) to HB06-1174, did pass.

Amend reengrossed bill, page 3, line 25, strike "OR".

Page 4, line 1, strike "PROPERTY." and substitute "PROPERTY; OR";

after line 1, insert the following:

"(c) A PERSON PERFORMING CONSTRUCTION WORK ON A CONSTRUCTION SITE WHO HAS BEEN UNEMPLOYED FOR LESS THAN NINE MONTHS."

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

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

Senator Gordon moved to amend the Report of the Committee of the Whole to show that HB 06-1174, as amended, was laid over to the general orders calendar of March 10, 2006, retaining its place on the calendar.

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the Report of the Committee of the Whole was declared PASSED.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Passed on Second Reading: HB06-1181, HB06-1177, HB06-1005 as amended, HB06-1007 as amended, HB06-1031, HB06-1032 as amended, SB06-090 as amended, HB06-1179 as amended, HB06-1125 as amended.

Referred to Appropriations: SB06-072.

Laid over until Friday, March 10: HB06-1112, SB06-138, SB06-052, SB06-176 as amended, HB06-1174 as amended.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB06-1340** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Education After consideration on the merits, the Committee recommends that **HB06-1098** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary After consideration on the merits, the Committee recommends that **HB06-1084** be referred to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **HB06-1080** be referred to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **HB06-1118** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, and Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**MEMBER OF THE
OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO**

for a term expiring July 1, 2009:

Samuel B. Potter of Rifle, Colorado, and to serve as a member with substantial experience in agriculture and not employed by the oil and gas industry and as a Republican, reappointed.

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **HB06-1204** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, strike line 20;

line 21, strike "(g)" and substitute "(f)";

after line 21, insert the following:

"SECTION 2. 34-22-102, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

34-22-102. Board of examiners - created - duties - members.
(1.5) WHEN A COMPLAINT OR INVESTIGATION DISCLOSES AN INSTANCE OF CONDUCT THAT DOES NOT WARRANT FORMAL ACTION BY THE BOARD AND, IN THE OPINION OF THE BOARD, THE COMPLAINT SHOULD BE DISMISSED, BUT THE BOARD HAS NOTICED INDICATIONS OF POSSIBLE ERRANT CONDUCT BY THE HOLDER OF A CERTIFICATE OF COMPETENCY THAT COULD LEAD TO SERIOUS CONSEQUENCES IF NOT CORRECTED, A CONFIDENTIAL LETTER OF CONCERN MAY BE ISSUED AND SENT TO THE HOLDER OF A CERTIFICATE OF COMPETENCY."

Renumber succeeding section accordingly.

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Agriculture, Natural Resources, & Energy 1
 After consideration on the merits, the Committee recommends that **HB06-1210** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar. 2
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State, Veterans, & Military Affairs 7
 After consideration on the merits, the Committee recommends that **HB06-1198** be referred to the Committee of the Whole with favorable recommendation. 8
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State, Veterans, & Military Affairs 13
 After consideration on the merits, the Committee recommends that **HB06-1191** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar. 14
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State, Veterans, & Military Affairs 19
 After consideration on the merits, the Committee recommends that **SCR06-001** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation. 20
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Amend printed concurrent resolution, page 3, after line 11, insert the following: 24
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"(1.3) AN OWNER-OCCUPIER MAY CLAIM ONLY ONE EXEMPTION PER PROPERTY TAX YEAR EVEN IF THE OWNER-OCCUPIER QUALIFIES FOR AN EXEMPTION UNDER BOTH PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION AND EITHER PARAGRAPH (a) OR PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION."; 27
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strike lines 24 through 27. 33
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Page 4, strike lines 1 and 2; 35
 36

line 10, strike "DISABILITY, AND, IN CONNECTION THEREWITH,"; 37
 38

strike lines 11 through 13 and substitute the following: 39
 40

"DISABILITY." 41
 42

Page 1, line 107, strike "DISABILITY, AND, IN"; 43
 44

strike lines 108 through 111 and substitute the following: 45
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"DISABILITY." 47
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State, Veterans, & Military Affairs 51
 After consideration on the merits, the Committee recommends that **HB06-1195** be referred to the Committee of the Whole with favorable recommendation. 52
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State, Veterans, & Military Affairs 57
 The Committee on State, Veterans, and Military Affairs has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed: 58
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MEMBERS OF THE
 COLORADO BOARD OF VETERANS AFFAIRS

for terms expiring June 30, 2009: 62
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Marvin L. Meyers of Denver, Colorado, to serve as a veteran and as a Democrat, reappointed; 66
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Armando R. Atencio of San Pablo, Colorado, to fill the vacancy occasioned by the resignation of Rodolfo F. Arguello of San Pablo, Colorado, and to serve as a veteran and as a Democrat, appointed.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SCR06-003** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE GOVERNOR

March 8, 2006

To the Honorable
Senate
Sixty-fifth General Assembly
Second Regular Session
Denver, CO 80203

Ladies and Gentlemen:

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

S.J.R. 06-002 – Concerning Approval Of Water Project Revolving Fund Eligibility Lists Administered By The Colorado Water Resources And Power Development Authority.

Approved March 8, 2006 at 2:45 p.m

Sincerely,
(signed)
Bill Owens
Governor
Rec'd 03/08/06 4:30 p.m.
Karen Goldman, Secretary of the Senate

SENATE SERVICES REPORT

Correctly Engrossed: SB06-020, 027, and 129.
Correctly Reengrossed: SB06-067.
Correctly Revised: HB06-1069, 1079, 1143, and 1265.
Correctly Rerevised: HB06-1023, and 1055.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB06-1035, 1081, 1104, 1142.

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 March 9 was laid over until Friday, March 10, retaining its place on the calendar.

Consideration of House Amendments to Senate Bills: SB06-062.
Consideration of Conference Committee Reports: HB06-1215.

On motion of Senator Gordon, the Senate adjourned until 9:00 a.m., Friday, March 10, 2006.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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