

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

101st Legislative Day

Friday, April 21, 2006

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Prayer	By Senator Fitz-Gerald.	11
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Pledge	By Senator Shaffer.	13
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Call to Order	By the President at 10:00 a.m.	15
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Roll Call	Present--28.	17
	Absent--1; Wiens.	18
	Excused--6; Gordon, Jones, May, Mitchell, Spence, Teck.	19
	Present later--Gordon, Wiens.	20
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Quorum	The President announced a quorum present.	23
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Reading of Journal	On motion of Senator Boyd, reading of the Journal of April 20, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.	25
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COMMITTEE OF REFERENCE REPORTS

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Appropriations	After consideration on the merits, the Committee recommends that HB06-1293 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	32
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	Amend reengrossed bill, page 5, line 16, strike "five" and substitute "nine";	37
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	line 17, strike "\$5,400)," and substitute "\$9,400),".	40
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Appropriations	After consideration on the merits, the Committee recommends that HB06-1124 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	43
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	Amend reengrossed bill, page 6, line 3, after the period, add "A FAILURE OF A PARTY TO A ROTATIONAL CROP MANAGEMENT CONTRACT WHO IS NOT THE OWNER OF THE IRRIGATION WATER RIGHTS THAT ARE SUBJECT TO THE CONTRACT TO PUT TO BENEFICIAL USE THE FULL AMOUNT OF WATER THAT WAS DECREED PURSUANT TO THE APPLICATION FOR APPROVAL OF THE CONTRACT SHALL NOT BE DEEMED TO REDUCE THE AMOUNT OF HISTORICAL CONSUMPTIVE USE THAT THE OWNER OF THE WATER RIGHTS HAS MADE OF THE RIGHTS.".	47
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	Page 9, line 23, strike "eleven" and substitute "thirteen thousand one hundred fifty-seven dollars (\$13,157) and 0.2 FTE, or so";	56
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	strike line 24.	59
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Appropriations	After consideration on the merits, the Committee recommends that HB06-1072 be referred to the Committee of the Whole with favorable recommendation.	63
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Appropriations

After consideration on the merits, the Committee recommends that **SB06-225** 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 10, insert the following:

"SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public safety, for allocation to the Colorado state patrol, to address human smuggling and human trafficking on the highways of this state, for the fiscal year beginning July 1, 2006, the sum of one million five hundred forty-two thousand five hundred sixty-three dollars (\$1,542,563) and 12.0 FTE, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding sections accordingly.

Page 1, line 101, strike "SMUGGLING." and substitute "SMUGGLING, AND MAKING AN APPROPRIATION THEREFOR."

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1277** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 67, after line 24, insert the following:

"SECTION 80. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any cash funds from fees collected pursuant to section 25-3-105, Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, health facilities and emergency medical services division, for the fiscal year beginning July 1, 2006, the sum of three thousand eight hundred twenty-nine dollars (\$3,829), or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

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

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1147** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 7, line 26, strike "public utilities commission" and substitute "department of regulatory agencies".

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1294** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1046** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB06-138** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Strike the Mitchell amendment, No. 3 (L.029), as printed in Senate Journal, April 17, page 912, lines 16 through 25.

Strike the Dyer amendment, No. 8 (L.030), as printed in Senate Journal,

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April 17, page 912, lines 69 through 72, and page 913, lines 1 through 15.

Amend the Senate Agriculture, Natural Resources, and Energy Committee Report, dated March 2, 2006, page 2, after line 18, insert the following:

"(9) DISTRIBUTORS AND ENTITIES REQUIRED TO FILE IRS FORM 637 THAT HAVE NOT, AS OF DECEMBER 31, 2006, BLENDED ETHANOL AND GASOLINE ARE EXEMPT FROM COMPLIANCE WITH THIS SECTION."

Renumber succeeding subsection accordingly.

Amend the Senate Appropriations Committee Report, dated March 31, 2006, page 2, strike lines 15 through 21 and substitute the following:

SECTION 2. 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 labor and employment, for the fiscal year beginning July 1, 2006, the sum of ninety-eight thousand six hundred ninety-one dollars (\$98,691) and 1.0 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, to the department of law, for the fiscal year beginning July 1, 2006, the sum of nine thousand six hundred sixty-eight dollars (\$9,668), or so much thereof as may be necessary, for the provision of legal services to the division of oil and public safety related to the implementation of this act. Such sum shall be from cash funds exempt received from the division of oil and public safety out of the appropriation made in subsection (1) of this section."

Education

After consideration on the merits, the Committee recommends that **HB06-1024** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, strike lines 2 through 17.

Strike pages 3 through 5.

Page 6, strike lines 1 through 10 and substitute the following:

SECTION 1. Article 5 of title 23, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

23-5-133. Governing boards - underserved students - report - repeal. (1) ON OR BEFORE SEPTEMBER 1, 2006, EACH GOVERNING BOARD OF A STATE INSTITUTION OF HIGHER EDUCATION SHALL SUBMIT TO THE COLORADO COMMISSION ON HIGHER EDUCATION AND THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, A REPORT REGARDING UNDERSERVED STUDENTS, WHICH INCLUDES:

(a) THE PROGRAMS AND SERVICES THAT EACH STATE INSTITUTION OF HIGHER EDUCATION UNDER THE GOVERNING BOARD'S CONTROL PROVIDES TO ADDRESS THE RETENTION AND SUCCESS OF UNDERSERVED STUDENTS; AND

(b) ADDITIONAL PROGRAMS OR SERVICES FOR UNDERSERVED STUDENTS THAT THE STATE INSTITUTION OF HIGHER EDUCATION WOULD PROPOSE TO PROVIDE AND THE RELATED COSTS FOR THE IMPLEMENTATION OF THOSE PROPOSED PROGRAMS OR SERVICES.

(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2007."

Renumber succeeding section accordingly.

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

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

for terms expiring January 1, 2010:

Peter A. Dea of Golden, Colorado, reappointed.

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

EXECUTIVE DIRECTOR OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

for a term expiring at the pleasure of the Governor:

Jennifer Langer of Denver, Colorado, appointed.

Finance After consideration on the merits, the Committee recommends that **HB06-1360** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 6, line 1, strike "THE" and substitute "ON OR BEFORE SEPTEMBER 1, 2006, THE".

Finance After consideration on the merits, the Committee recommends that **HB06-1361** be referred to the Committee on Appropriations with favorable recommendation.

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
COLORADO STATE FAIR AUTHORITY
BOARD OF COMMISSIONERS

for a term expiring November 1, 2008:

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

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **HB06-1166** be postponed indefinitely.

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

Amend reengrossed bill, page 3, after line 1, insert the following:

"**SECTION 1.** 23-1-106.5 (9) (b), Colorado Revised Statutes, is amended to read:

23-1-106.5. Duties and powers of the commission with regard to advanced technology - fund created. (9) (b) (I) The commission shall MAY expend moneys in the advanced technology fund to provide

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research funding and technology transfer capital to individuals or public or private entities seeking to develop or implement projects for biotechnology and other advanced technology or for environmental research, research and development, and technology transfer programs in the state. The commission shall adopt a policy for the expenditure of such moneys, which shall contain priorities and the criteria for providing research funding and technology transfer.

(II) THE COMMISSION SHALL EXPEND MONEYS IN THE ADVANCED TECHNOLOGY FUND TO PROVIDE FUNDING TO STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION FOR RESEARCH AND DESIGN WORK ON NOISE MITIGATION MEASURES APPROVED BY THE DEPARTMENT OF TRANSPORTATION PURSUANT TO SECTION 43-2-402 (4) (b), C.R.S. THE COMMISSION MAY TRANSFER MONEYS IN THE FUND TO THE DEPARTMENT FOR CONSTRUCTION OF APPROVED NOISE MITIGATION MEASURES PURSUANT TO SECTION 43-2-402 (5), C.R.S.". Renumber succeeding sections accordingly.

Page 4, line 10, strike "43-2-405." and substitute "43-2-404."

Page 6, line 1, strike "IN THE" and substitute "TRANSFERRED FROM THE ADVANCED TECHNOLOGY FUND PURSUANT TO SECTION 23-1-106.5 (9) (b) (II), C.R.S.";

strike line 2;

line 6, strike "MONEYS REMAINING IN THE NOISE MITIGATION FUND" and substitute "AVAILABLE MONEYS TRANSFERRED FROM THE ADVANCED TECHNOLOGY FUND PURSUANT TO SECTION 23-1-106.5 (9) (b) (II), C.R.S.";

strike lines 14 through 22 and substitute the following:

"(d) THE";

Renumber succeeding C.R.S. sections accordingly.

Page 6, line 23, strike "FROM THE MONEYS IN THE NOISE MITIGATION";

line 24, strike "FUND";

line 25, strike "FROM THE FUND" and substitute "TRANSFERRED FROM THE ADVANCED TECHNOLOGY FUND PURSUANT TO SECTION 23-1-106.5 (9) (b) (II), C.R.S., AND".

Page 8, strike lines 23 through 27.

Page 9, strike lines 1 through 7.

Renumber succeeding sections accordingly.

Health & Human Services

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

Amend printed bill, page 5, line 26, change the semicolon to a comma.

Page 6, line 1, strike "and the treatment" and substitute "~~and the treatment~~";

line 2, strike "program for high-risk pregnant women;" and substitute "~~program for high-risk pregnant women;~~".

Page 13, line 27, strike "(1) IN" and substitute "(1) THE STATE DEPARTMENT SHALL CONSULT WITH AND COORDINATE WITH THE COUNTIES BEFORE MAKING ANY CHANGES THAT AFFECT COUNTY OPERATIONS IN THE IMPLEMENTATION OF THIS SECTION, WHEN POSSIBLE UNDER STATE STATUTES AND FEDERAL STATUTES AND REGULATIONS.

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(2) IN".

Page 14, line 15, strike "(1);" and substitute "(2)";

line 17, strike "(1);" and substitute "(2)";

line 20, strike "ANY PROGRAM OR ACTIVITY;" and substitute "THE ADMINISTRATION OF MEDICAL ASSISTANCE;"

line 23, strike "(2)" and substitute "(3)";

line 27, strike "25.5-1-301 AS TO" and substitute "25.5-1-301;"

Page 15, strike line 1;

line 2, strike "ELIGIBILITY SERVICES;" and, strike "(2)" and substitute "(3)";

line 16, after "DEPARTMENT,", insert "THE DEPARTMENT OF HUMAN SERVICES,"

Page 16, line 17, strike the first comma;

line 18, strike "DEPARTMENT RECOVER" and substitute "DEPARTMENT, RECOVERS".

Page 17, line 3, strike "THE" and substitute "A";

line 7, strike "GENERAL" and substitute "SOCIAL SERVICES".

Page 23, after line 8, insert the following:

"(3) WITH THE APPROVAL OF THE DEPARTMENT OF HUMAN SERVICES, TWO OR MORE COUNTIES MAY JOINTLY ESTABLISH A DISTRICT DEPARTMENT OF SOCIAL SERVICES. ALL DUTIES AND RESPONSIBILITIES FOR COUNTY DEPARTMENTS SET FORTH IN THIS TITLE SHALL ALSO APPLY TO DISTRICT DEPARTMENTS OF SOCIAL SERVICES."

Page 24, line 2, after the period, add "THE STAFF SHALL BE APPOINTED AND SHALL SERVE IN ACCORDANCE WITH A MERIT SYSTEM FOR THE SELECTION, RETENTION, AND PROMOTION OF COUNTY DEPARTMENT EMPLOYEES AS DESCRIBED IN SECTION 26-1-120, C.R.S. THE SALARIES OF THE STAFF MEMBERS SHALL BE FIXED IN ACCORDANCE WITH THE RULES AND SALARY SCHEDULES PRESCRIBED BY THE STATE DEPARTMENT OR THE DEPARTMENT OF HUMAN SERVICES, WHICHEVER IS APPROPRIATE; EXCEPT THAT, ONCE A COUNTY TRANSFERS ITS COUNTY EMPLOYEES TO A SUCCESSOR MERIT SYSTEM AS PROVIDED IN SECTION 26-1-120, C.R.S., THE SALARIES SHALL BE FIXED BY THE COUNTY COMMISSIONERS."

Page 25, strike lines 23 through 27.

Strike page 26.

Page 27, strike lines 1 through 23 and substitute the following:

"25.5-1-121. County expenditures - advancements - procedures. (1) FOR PURPOSES OF THIS ARTICLE, UNDER RULES OF THE STATE".

Page 28, after line 13, insert the following:

"(2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, THE COUNTY DEPARTMENT MAY SPEND IN EXCESS OF TWENTY PERCENT OF ACTUAL COSTS FOR THE PURPOSE OF MATCHING FEDERAL FUNDS FOR THE ADMINISTRATION OF THE CHILD SUPPORT ENFORCEMENT PROGRAM OR FOR THE ADMINISTRATIVE COSTS OF ACTIVITIES INVOLVING FOOD STAMP, PUBLIC ASSISTANCE, OR MEDICAL ASSISTANCE FRAUD INVESTIGATIONS OR PROSECUTIONS."

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Page 30, line 4, strike "25.5-1-123" and substitute "26-1-123, C.R.S.,";

line 7, strike "AND PROGRAM COSTS";

line 8, strike "STAMPS." and substitute "STAMPS, AND PROGRAM COSTS OF PUBLIC ASSISTANCE AND FOOD STAMPS.".

Page 38, after line 25, insert the following:

"(8) TO THE EXTENT THAT RULES ARE PROMULGATED BY THE STATE BOARD OF HUMAN SERVICES FOR PROGRAMS OR PROVIDERS THAT RECEIVE EITHER MEDICAID ONLY OR BOTH MEDICAID AND NON-MEDICAID FUNDING, THE RULES SHALL BE DEVELOPED IN COOPERATION WITH THE STATE DEPARTMENT AND SHALL NOT CONFLICT WITH STATE STATUTES OR FEDERAL STATUTES OR REGULATIONS.".

Page 69, line 11, strike "ACT," and substitute "ACT,";

line 12, strike "1396U-1," and substitute "1396u-1,".

Page 121, line 17, strike "THE RATE-SETTING" and substitute "THE MEDICAID RATE-SETTING";

strike lines 21 through 25 and substitute the following:

"(3) THE STATE DEPARTMENT AND THE DEPARTMENT OF HUMAN SERVICES, IN CONSULTATION WITH THE REPRESENTATIVES OF THE COUNTIES AND THE PROVIDER COMMUNITY, SHALL REVIEW THE RATE-SETTING PROCESS EVERY TWO YEARS AND SHALL SUBMIT ANY RECOMMENDED CHANGES TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY.".

Page 145, line 15, strike "(k)," and substitute "(h),";

line 16, strike "(p)" and substitute "(m)".

Page 150, line 18, strike "25.5-5-208," and, strike "AND";

strike line 19 and substitute the following:

"25.5-5-310, AND 25.5-5-311;".

Page 191, line 18, strike "(m)," and substitute "(l),".

Page 204, line 17, strike "25.5-5-402 (2)," and substitute "25.5-5-402 (3),".

Page 252, line 12, strike "(1.5)" and substitute "(2)".

Page 258, strike line 10 and substitute the following:

"25.5-6-204 (4) (a).".

Page 260, strike lines 19 through 24 and substitute the following:

~~"(I) (A) For the fiscal year 1985-86, the acquisition cost of a capital-related asset together with any increase or decrease each year since the date of acquisition as reflected in the index:~~

~~"(B) In determining the base value for the fiscal year 1985-86 of a capital-related asset acquired prior to July 1, 1981, the date of acquisition shall be deemed to be July 1, 1981.";~~

line 25, strike "(II)" and substitute "~~(II)~~ (I)";

line 27, strike "(III)" and substitute "~~(III)~~ (II)".

Page 261, line 1, strike "(II)" and substitute "~~(II)~~ (I)".

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Page 269, line 21, strike "(1.5)" and substitute "(2)".

Page 280, line 22, strike "PART 5," and substitute "PART 5 OF THIS ARTICLE,".

Page 289, line 15, after "the", insert "STATE" and, strike "of health" and substitute "~~of health~~";

line 16, strike "care policy and financing" and substitute "~~care policy and financing~~".

Page 295, line 6, strike "federal" and substitute "federal";

line 7, strike "SERVICES." and substitute "SERVICES, OR ANY SUCCESSOR AGENCY.".

Page 363, line 16, strike "NON-MEDICAID";

line 19, after "PROGRAMS", insert "OR PROVIDERS";

strike lines 20 and 21 and substitute the following:

"EITHER MEDICAID ONLY OR BOTH MEDICAID AND NON-MEDICAID FUNDING, THE RULES SHALL BE DEVELOPED IN COOPERATION WITH THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND SHALL NOT CONFLICT WITH STATE STATUTES OR FEDERAL STATUTES OR REGULATIONS.".

Page 368, line 6, strike "a THE" and substitute "a".

Page 376, line 9, strike "(a)" and substitute "(a)";

line 14, strike "(b)" and substitute "(b)";

line 17, after the period, add "THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND THE STATE DEPARTMENT, IN CONSULTATION WITH THE REPRESENTATIVES OF THE COUNTIES AND THE PROVIDER COMMUNITY, SHALL REVIEW THE RATE-SETTING PROCESS EVERY TWO YEARS AND SHALL SUBMIT ANY RECOMMENDED CHANGES TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY.";

after line 17, insert the following:

SECTION 21. Part 1 of article 1 of title 26, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

26-1-134. Home- and community-based services for persons with developmental disabilities - cooperation. IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND THE STATE DEPARTMENT COOPERATE TO THE MAXIMUM EXTENT POSSIBLE IN DESIGNING, IMPLEMENTING, AND ADMINISTERING THE PROGRAM AUTHORIZED UNDER PART 4 OF ARTICLE 6 OF TITLE 25.5, C.R.S.".

Renumber succeeding sections accordingly.

Page 377, line 23, strike "services." and substitute "services - repeal.".

Page 381, after line 11, insert the following:

"(4) (a) THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING SHALL ASSIST IN THE PROCESS OF TRANSITIONING THE HOME CARE ALLOWANCE AND ADULT FOSTER CARE PROGRAMS TO THE STATE DEPARTMENT. THE TRANSITION SHALL INCLUDE TRAINING AND THE TRANSFER OF MATERIALS AND INFORMATION.

(b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2007.".

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Page 383, line 20, strike "PROGRAM OR" and substitute "PROGRAM,";

line 21, strike "PROGRAM." and substitute "PROGRAM, THE CHILDREN'S BASIC HEALTH PLAN, OR THE COLORADO INDIGENT CARE PROGRAM.".

Page 385, line 6, strike "25.5-5-415," and substitute "25.5-5-413,".

Page 430, after line 17, insert the following:

"SECTION 123. 24-75-106 (1), Colorado Revised Statutes, is amended to read:

24-75-106. Transfers between departments of health care policy and financing and human services for medicaid programs - repeal. (1) Notwithstanding the effect of the "M" provision in the 1990-91 and subsequent general appropriation acts, the governor may transfer unlimited amounts of general fund AND CASH FUNDS EXEMPT appropriations to and from the departments of health care policy and financing and human services when required by changes from the appropriated levels in the amount of medicaid cash funds earned through programs or services provided under the supervision of the department of human services OR THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING.".

Renumber succeeding sections accordingly.

Health &
Human
Services

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

Health &
Human
Services

After consideration on the merits, the Committee recommends that **HB06-1126** be postponed indefinitely.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

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

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

SJR06-034 by Senator(s) Windels; also Representative(s) Paccione--Concerning recognition of April 25, 2006, as "Equal Pay Day", and, in connection therewith, encouraging employers and citizens to recognize women's contributions to the labor force.

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

SJR06-035 by Senator(s) Tupa; also Representative(s) Plant, Madden, Pommer--Concerning recognition of the Colorado Chautauqua.

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

SJR06-036 by Senator(s) Bacon; also Representative(s) Benefield, Todd, Lindstrom, Solano, Vigil--Concerning designation of 2006 as the Year of Study Abroad for Colorado.

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

SJR06-037 by Senator(s) Traylor; also Representative(s) Jahn--Concerning National Crime Victims' Rights Week.

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

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SJR06-038	by Senator(s) Windels; also Representative(s) Merrifield--Concerning honoring Colorado teachers on National Teacher Day.	1
	Laid over one day under Senate Rule 30(b).	2
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SJR06-039	by Senator(s) Shaffer, Boyd, Fitz-Gerald, Johnson, Traylor; also Representative(s) Pommer, Marshall, Berens, Cloer, Green, McGihon, Riesberg, Soper, Stafford, Sullivan--Concerning calculating a patient's glomerular filtration rate to determine kidney function.	5
	Laid over one day under Senate Rule 30(b).	6
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SJR06-040	by Senator(s) Boyd; also Representative(s) Kerr A.--Concerning pandemic planning.	11
	Laid over one day under Senate Rule 30(b).	12
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SJR06-041	by Senator(s) Keller; also Representative(s) Stafford--Concerning the designation of May as Mental Health Month.	15
	Laid over one day under Senate Rule 30(b).	16
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SJR06-042	by Senator(s) Tupa, Bacon, Williams, Windels; also Representative(s) Merrifield, Benefield, Pommer--Concerning creation of an interim committee to study a seamless system of education stretching from early childhood through higher education.	21
	Laid over one day under Senate Rule 30(b).	22
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SJR06-043	by Senator(s) Isgar, Williams; also Representative(s) Cloer--Concerning budget cuts to federal programs that benefit American Indians.	27
	Laid over one day under Senate Rule 30(b).	28
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SJR06-044	by Senator(s) Boyd, Shaffer; also Representative(s) Madden--Concerning the 90th anniversary of Planned Parenthood of the Rocky Mountains.	32
	Laid over one day under Senate Rule 30(b).	33
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SJR06-045	by Senator(s) Windels; --Concerning encouragement by the Colorado general assembly to public and private employers to accommodate the religious practices of their employees.	37
	Laid over one day under Senate Rule 30(b).	38
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SJR06-046	by Senator(s) Taylor, Isgar, Spence, Takis; also Representative(s) Coleman, Schultheis, Vigil, White--Concerning the appointment of Sally W. Symanski to the position of state auditor.	42
	Laid over one day under Senate Rule 30(b).	43
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SJR06-047	by Senator(s) Johnson; also Representative(s) McGihon, Romanoff, Stafford, Berens, Cloer, Frangas, Green, Kerr A., Kerr J., Riesberg, Soper, Weissmann--Concerning the declaration of the week commencing May 1, 2006, as "Cover the Uninsured Week".	48
	Laid over one day under Senate Rule 30(b).	49
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SJR06-048	by Senator(s) Kester, Brophy, Dyer, Isgar, Johnson, Tapia; also Representative(s) McKinley, Butcher, Gallegos, Gardner, Hoppe, McFadyen--Concerning power production for economic development in rural Colorado.	54
	Laid over one day under Senate Rule 30(b).	55
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SJR06-049	by Senator(s) Traylor; also Representative(s) Knoedler--Concerning recognition of Senator Norma Anderson.	60
	Laid over one day under Senate Rule 30(b).	61
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SR06-012	by Senator(s) Grossman; --Concerning changes to the Senate Rules relating to ethics.	65
	Laid over one day under Senate Rule 30(c).	66
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INTRODUCTION OF CONCURRENT RESOLUTIONS -- FIRST READING

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

- SCR06-006** by Senator(s) Tupa; --Submitting to the registered electors of the state of Colorado an amendment to article V of the constitution of the state of Colorado, concerning a requirement that the general assembly may ratify a proposed amendment to the United States constitution only by a recorded vote, taken by ayes and noes, of two-thirds of all the members elected to each house.
State, Veterans & Military Affairs
- SCR06-007** by Senator(s) Evans; also Representative(s) Pommer, Witwer--Submitting to the registered electors of the state of Colorado amendments to sections 3 and 6 of article X and article XVIII of the constitution of the state of Colorado, concerning efforts to promote the use of hydrogen as a motor vehicle fuel, and, in connection therewith, exempting from taxation personal property used to produce and dispense hydrogen as a motor vehicle fuel, exempting hydrogen-powered vehicles from the specific ownership tax, setting energy and environmental goals for hydrogen fuel projects, establishing demonstration projects for hydrogen fueling stations and the use of hydrogen-powered vehicles in the state motor vehicle fleet, and establishing specifications for hydrogen fuels until national standards are adopted.
State, Veterans & Military Affairs
- SCR06-008** by Senators(s) Gordon, Evans--Submitting to the registered electors of the state of Colorado amendments to sections 44, 47, and 48 of article V of the constitution of the state of Colorado, concerning redistricting by the general assembly pursuant to a plan prepared by the nonpartisan staff of the general assembly without the ability to adopt substantive amendments to the plan, and, in connection therewith, repealing the reapportionment commission.
State, Veterans & Military Affairs

INTRODUCTION OF MEMORIALS

The following memorial was read by title:

- SJM06-003** by Senator(s) Tupa, Boyd, Brophy, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Isgar, Johnson, Jones, Keller, Kester, Lamborn, May R., Mitchell, Owen, Sandoval, Shaffer, Spence, Takis, Tapia, Taylor, Teck, Tochtrop, Traylor, Veiga, Wiens, Williams, Windels; also Representative(s) Riesberg, Todd, Balmer, Benefield, Buescher, Cadman, Carroll M., Coleman, Crane, Decker, Gallegos, Green, Hall, Hefley, Hodge, Kerr A., Kerr J., Larson, Lindstrom, Liston, Lundberg, Madden, Marshall, Massey, McCluskey, McKinley, Merrifield, Paccione, Penry, Plant, Pommer, Ragsdale, Romanoff, Rose, Solano, Soper, Stengel, Sullivan, Vigil, Weissmann, Witwer--Memorializing Congress to protect taxpayer privacy.

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:

- SB06-233** by Senator(s) Taylor, Isgar, Spence, Takis; also Representative(s) Coleman, Schultheis, Vigil, White--Concerning clarification of the existing authority of the state auditor to access confidential documents.
State, Veterans & Military Affairs
- HB06-1001** by Representative(s) Merrifield; also Senator(s) Evans--Concerning principals in public schools, and making an appropriation in connection therewith.
Education
- HB06-1131** by Representative(s) Stengel; also Senator(s) McElhany--Concerning persons who provide surety to a court for a defendant that has been taken into custody.
Judiciary

- HB06-1149** by Representative(s) Carroll M., Weissmann; also Senator(s) Tupa--Concerning disclosure of additional information to be submitted by professional lobbyists in connection with their disclosure statements filed with the secretary of state under the "Colorado Sunshine Act of 1972", and making an appropriation therefor. 1
 Judiciary 2
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- HB06-1151** by Representative(s) Hefley; also Senator(s) Groff--Concerning the crime of felony child abuse, and making an appropriation therefor. 7
 Judiciary 8
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- HB06-1211** by Representative(s) Frangas, Cloer; also Senator(s) Keller--Concerning sanctions under the medical assistance program. 11
 State, Veterans & Military Affairs 12
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- HB06-1384** by Representative(s) Buescher, McFadyen, Butcher; also Senator(s) Tapia--Concerning the expenditure of moneys from the Colorado travel and tourism promotion fund to benefit the Colorado state fair, and making an appropriation therefor. 15
 State, Veterans & Military Affairs 16
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- HB06-1387** by Representative(s) Garcia, May M.; also Senator(s) Veiga--Concerning real estate foreclosures. 20
 Business, Labor and Technology 21
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- HB06-1092** by Representative(s) Schultheis, Harvey, Lundberg, Penry, Welker; also Senator(s) Jones, Brophy, Johnson--Concerning increasing the penalty for sexual exploitation of a child by possession of sexually exploitative material, and making an appropriation therefor. 24
 State, Veterans & Military Affairs 25
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MESSAGE FROM THE HOUSE

April 20, 2006
 Madame President:

The House has voted to recede from its position, dissolve the First Conference Committee on HB06-1251, and concur in Senate amendments, and has repassed the bill. The House requests return of the bill.

The House has voted to grant the House conferees on the First Conference Committee on HB06-1169 to consider matters not at issue between the two houses.

On motion of Senator Isgar, 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 -- SR06-009.

CONSIDERATION OF RESOLUTIONS

- SR06-009** by Senator(s) Kester; --Concerning the designation of a portion of Colorado highway 10 as the "1st Cavalry Division Memorial Highway". 53
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On motion of Senator Kester, the resolution was read at length and **adopted** by the following roll call vote: 56
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YES	29	NO	0	EXCUSED	6	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		E Shaffer		Y Veiga	Y
Entz		Y Keller		Y Spence		E Wiens	Y
Evans		Y Kester		Y Takis		Y Williams	Y
Gordon		E Lamborn		Y Tapia		Y Windels	Y
Groff		Y May R.		E Taylor		Y President	Y
Grossman		Y McElhany		Y Teck		E	

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

SENATE SERVICES REPORT

Correctly Engrossed: SB06-011, 022, 065, 096, 111, 150, 183, 193, and 213; SJR06-030.
Correctly Reengrossed: SB06-046, 069, and 081.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB06-024, 025, 035, 052, 121, 145, and 199.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, April 20, 2006, at 1:35 p.m.:
 SB06-013, 021, 083, and 194.

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:

SB06-001 by Senator(s) Hagedorn; also Representative(s) Madden--Concerning a reduction in the cost of prescription drugs, and making an appropriation therefor.

Laid over until Monday, April 24, retaining its place on the calendar.

SB06-193 by Senator(s) Wiens; also Representative(s) May M--Concerning the development of underground water storage, and, in connection therewith, making an appropriation.

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

YES	29	NO	0	EXCUSED	6	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	E	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	E	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	E	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	E		

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

Co-sponsors added: Brophy, Dyer, Entz, Evans, Groff, Grossman, Hagedorn, Isgar, Johnson, Kester, Lamborn, Shaffer, Taylor and Williams.

SB06-150 by Senator(s) Grossman; also Representative(s) Hefley--Concerning DNA testing of all felons.

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

YES	29	NO	0	EXCUSED	6	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	E	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	E	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	E	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	E		

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

Co-sponsors added: Bacon, Boyd, Dyer, Entz, Evans, Fitz-Gerald, Hagedorn, Keller, Kester, Lamborn, McElhany, Shaffer, Tapia, Taylor, Tochtrop, Traylor, Tupa, Veiga, Wiens, Williams and Windels.

SB06-022 by Senator(s) Kester, Traylor, Williams; also Representative(s) Penry--Concerning sexually violent predators, and making an appropriation in connection therewith.

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

YES	30	NO	0	EXCUSED	5	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	E	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	E	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	E		

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

Co-sponsors added: Boyd, Evans, Fitz-Gerald, Groff, Grossman, Isgar, Johnson, Keller, Owen, Shaffer, Tapia, Taylor, Tochtrop, Tupa, Veiga and Windels.

SB06-011 by Senator(s) Tapia, Hagedorn, Keller, Shaffer; also Representative(s) Butcher, Boyd, Green--Concerning a study to analyze factors that drive the cost of health care within Pueblo county, and making an appropriation in connection therewith.

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

YES	30	NO	0	EXCUSED	5	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	E	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	E	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	E		

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

SB06-111 by Senator(s) Groff; also Representative(s) Marshall--Concerning a requirement of cultural competency for health-related professionals, and, in connection therewith, making an appropriation.

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

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YES	20	NO	10	EXCUSED	5	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	E	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	N
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	E	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	E	Wiens	N
Evans	N	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	N	President	Y
Grossman	Y	McElhany	N	Teck	E		

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

SB06-096 by Senator(s) Taylor; also Representative(s) Butcher, Penry--Concerning resources to fight wildfires.

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

YES	30	NO	0	EXCUSED	5	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	E	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	E	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	E		

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

Co-sponsors added: Boyd, Dyer, Entz, Evans, Fitz-Gerald, Isgar, Kester, Lamborn, McElhany, Shaffer, Traylor, Tupa, Wiens and Williams.

SB06-065 by Senator(s) Windels; also Representative(s) McKinley--Concerning the capital construction needs of Colorado public schools, and making an appropriation therefor.

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

YES	27	NO	3	EXCUSED	5	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	E	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	E	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	E	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	E		

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

Co-sponsors added: Shaffer, Tupa and Williams.

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.

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

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

Amend engrossed bill, page 3, line 13, after the period insert the following:

"THEREFORE, THE GENERAL ASSEMBLY ENCOURAGES HEALTH CARE FACILITIES, CARRIERS, AND PROVIDERS TO PROVIDE CONSUMERS DISCLOSURE ABOUT THE POTENTIAL IMPACT OF RECEIVING SERVICES FROM AN OUT-OF-NETWORK PROVIDER.";

line 20, strike "THEREFORE,";

strike lines 21 and 22.

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

YES	29	NO	1	EXCUSED	5	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	E	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	E	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	E	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	E		

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

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

SB06-183

by Senator(s) Isgar, Taylor, Entz, Kester; also Representative(s) Curry--Concerning the water resources research institute, and, in connection therewith, making an appropriation.

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

YES	30	NO	0	EXCUSED	5	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	E	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	E	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	E	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	E		

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

Committee of the Whole

On motion of Senator Keller, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Keller 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, HB06-1346, HB06-1201, HB06-1008, HB06-1085, HB06-1132 were advanced to the beginning of the General Orders -- Second Reading of Bills calendar.

- 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. 1
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Amendment No. 1, Health and Human Services Committee Amendment. 4
(Printed in Senate Journal, April 13, page 829 and placed in members' bill files.) 5
6
As amended, ordered revised and placed on the calendar for Third Reading and Final 7
Passage. 8
(For further action, see Roll Call vote on **HB06-1346**.) 9
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- HB06-1085** by Representative(s) Garcia; also Senator(s) Entz--Concerning expansion of the purposes 11
for which moneys in the building regulation fund may be expended, and making an 12
appropriation in connection therewith. 13
14
Ordered revised and placed on the calendar for Third Reading and Final Passage. 15
16
- HB06-1201** by Representative(s) Plant, White, Buescher, Curry, Lindstrom, Borodkin, Larson, Madden; 17
also Senator(s) Taylor, Isgar, Fitz-Gerald, Tapia, Veiga--Concerning the proportion of 18
limited gaming revenues designated for the promotion of tourism in the state, and making an 19
appropriation therefor. 20
21
Amendment No. 1, Finance Committee Amendment. 22
(Printed in Senate Journal, March 31, pages 696-697 and placed in members' bill files.) 23
24
Amendment No. 2, Appropriations Committee Amendment. 25
(Printed in Senate Journal, April 19, pages 969-975 and placed in members' bill files.) 26
(Committee Reports was severed: Part 1: Page 7, line 18 through page 8, line 2 was 27
declared adopted; Part 2: Page 1, line 1 through page 7, line 17 and page 8, line 3 through 28
page 11, line 18 was declared adopted.) 29
30
Amendment No. 3(L.017), by Senator Taylor. 31
32
Amend the Appropriations Committee Report, dated April 19, 2006, page 33
9, line 11, strike "nineteen million dollars" and substitute "eighteen 34
million eight hundred fifty-four thousand five hundred eighty-seven 35
dollars (\$18,854,587)"; 36
37
line 12, strike "(\$19,000,000)"; 38
39
line 15, strike ""nineteen million dollars (\$19,000,000)," and substitute 40
""eighteen million eight hundred fifty-four thousand five hundred eighty- 41
seven dollars (\$18,854,587),". 42
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44
As amended, ordered revised and placed on the calendar for Third Reading and Final 45
Passage. 46
(For further action, see Amendments to the Report of the Committee of the Whole.) 47
48
- HB06-1132** by Representative(s) Hoppe; also Senator(s) Isgar--Concerning the disposition of animals 49
impounded under animal cruelty laws, and, in connection therewith, authorizing the sale of 50
such animals with the proceeds applied to the cost of care of such impounded animals, 51
authorizing court hearings on the reasonableness of costs associated with bonds to prevent 52
the disposition of an impounded animal, authorizing the recovery of such costs through 53
restitution in criminal cases, and making an appropriation. 54
55
Ordered revised and placed on the calendar for Third Reading and Final Passage. 56
57
- HB06-1008** by Representative(s) Massey; also Senator(s) Isgar--Concerning reimbursement for 58
supplemental on-line education courses, and making an appropriation therefor. 59
60
Amendment No. 1, Education Committee Amendment. 61
(Printed in Senate Journal, March 30, page 680 and placed in members' bill files.) 62
63
Amendment No. 2, Appropriations Committee Amendment. 64
(Printed in Senate Journal, April 19, pages 975-976 and placed in members' bill files.) 65
66
As amended, ordered revised and placed on the calendar for Third Reading and Final 67
Passage. 68
(For further action, see Amendments to the Report of the Committee of the Whole.) 69

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, HB06-1274 was advanced on the General Orders -- Second Reading of Bills calendar.

HB06-1274 by Representative(s) Hodge; also Senator(s) Entz--Concerning the uniform regulation of pesticide applicators under the pesticide applicators' act, and, in connection therewith, regulating private applicators, and making an appropriation.

Amendment No. 1, Agriculture, Natural Resources and Energy Committee Amendment.
(Printed in Senate Journal, March 23, pages 595-596 and placed in members' bill files.)

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

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, HB06-1154 was advanced on the General Orders -- Second Reading of Bills calendar.

HB06-1154 by Representative(s) Berens, Cerbo, Rose, Sullivan, Todd; also Senator(s) Hanna, Shaffer-- Concerning the issuance of heirloom certificates, and making an appropriation therefor.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, page 976 and placed in members' bill files.)

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

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, HB06-1313 was advanced on the General Orders -- Second Reading of Bills calendar.

HB06-1313 by Representative(s) Curry; also Senator(s) Isgar--Concerning the funding of Colorado water conservation board projects, and, in connection therewith, making appropriations.

Amendment No. 1, Agriculture, Natural Resources and Energy Committee Amendment.
(Printed in Senate Journal, March 24, page 610 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, page 977 and placed in members' bill files.)

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

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 (SB06-221, HB06-1379, SB06-169, SB06-031, HB06-1018, HB06-1281) of April 21, was laid over until Monday, April 24, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB06-1008 by Representative(s) Massey; also Senator(s) Isgar--Concerning reimbursement for supplemental on-line education courses, and making an appropriation therefor.

Senator Evans moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 06-1008 did pass.

Amend reengrossed bill, page 5, line 8, strike "TEACHER, WHO IS

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LICENSED PURSUANT TO";

line 9, strike "ARTICLE 60.5 OF THIS TITLE," and substitute "TEACHER".

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

YES	12	NO	18	EXCUSED	5	ABSENT	0
Bacon	N	Hagedorn	N	Mitchell	E	Tochtrop	N
Boyd	N	Isgar	N	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	N	Tupa	N
Dyer	Y	Jones	E	Shaffer	N	Veiga	N
Entz	Y	Keller	N	Spence	E	Wiens	Y
Evans	Y	Kester	Y	Takis	N	Williams	N
Gordon	N	Lamborn	Y	Tapia	N	Windels	N
Groff	N	May R.	E	Taylor	Y	President	N
Grossman	N	McElhany	Y	Teck	E		

HB06-1201 by Representative(s) Plant, White, Buescher, Curry, Lindstrom, Borodkin, Larson, Madden; also Senator(s) Taylor, Isgar, Fitz-Gerald, Tapia, Veiga--Concerning the proportion of limited gaming revenues designated for the promotion of tourism in the state, and making an appropriation therefor.

Senator Lamborn moved to amend the Report of the Committee of the Whole to show that severed section 2 (page 7, lines 18 through 33 and page 8, lines 1 and 2) of the Appropriations Committee amendment to HB 06-1201, as amended, did not pass.

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

YES	7	NO	23	EXCUSED	5	ABSENT	0
Bacon	N	Hagedorn	N	Mitchell	E	Tochtrop	N
Boyd	N	Isgar	N	Owen	Y	Traylor	N
Brophy	Y	Johnson	N	Sandoval	N	Tupa	N
Dyer	Y	Jones	E	Shaffer	N	Veiga	N
Entz	Y	Keller	N	Spence	E	Wiens	N
Evans	N	Kester	N	Takis	N	Williams	N
Gordon	N	Lamborn	Y	Tapia	N	Windels	N
Groff	N	May R.	E	Taylor	N	President	N
Grossman	Y	McElhany	Y	Teck	E		

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.

Senator McElhany requested a roll call vote on **HB06-1346**.

As amended, laid over until Monday, April 24, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Keller, 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: HB06-1085, HB06-1201 as amended, HB06-1132, HB06-1008 as amended, HB06-1274 as amended, HB06-1154 as amended, HB06-1313 as amended.

Laid over until Monday, April 24: SB06-221, HB06-1379, SB06-169, SB06-031, HB06-1018, HB06-1281, HB06-1346 as amended.

COMMITTEE OF REFERENCE REPORTS

Judiciary

After consideration on the merits, the Committee recommends that SCR06-004 be postponed indefinitely.

Appropriations

After consideration on the merits, the Committee recommends that HB06-1054 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 6, after line 24, insert the following:

"(2) PURSUANT TO SECTION 24-75-1104.5 (1) (I), C.R.S., BEGINNING IN THE 2006-07 FISCAL YEAR AND IN EACH FISCAL YEAR THEREAFTER SO LONG AS THE STATE RECEIVES MONEYS PURSUANT TO THE MASTER SETTLEMENT AGREEMENT, THE GENERAL ASSEMBLY SHALL APPROPRIATE TO THE FUND TWO PERCENT, NOT TO EXCEED TWO MILLION DOLLARS IN ANY FISCAL YEAR, OF THE TOTAL AMOUNT OF THE MONEYS ANNUALLY RECEIVED BY THE STATE PURSUANT TO THE MASTER SETTLEMENT AGREEMENT, NOT INCLUDING ATTORNEY FEES AND COSTS, DURING THE PRECEDING FISCAL YEAR. THE GENERAL ASSEMBLY SHALL APPROPRIATE THE AMOUNT SPECIFIED IN THIS SUBSECTION (2) FROM MONEYS CREDITED TO THE TOBACCO LITIGATION SETTLEMENT CASH FUND CREATED IN SECTION 24-22-115, C.R.S."

Renumber succeeding subsection accordingly.

Page 7, after line 2, insert the following:

"SECTION 2. 24-75-1104.5 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

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

(1) THE COLORADO HIV AND AIDS PREVENTION GRANT PROGRAM CREATED IN SECTION 25-4-1413, C.R.S., SHALL RECEIVE TWO PERCENT OF THE TOTAL AMOUNT OF SETTLEMENT MONEYS ANNUALLY RECEIVED BY THE STATE, NOT TO EXCEED TWO MILLION DOLLARS IN ANY FISCAL YEAR.

SECTION 3. Appropriation. (1) 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 AIDS and HIV prevention fund created in section 25-4-1415 (1), for the fiscal year beginning July 1, 2006, the sum of one million five hundred eighty-four thousand four hundred forty-eight dollars (\$1,584,448), 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 AIDS and HIV prevention fund created in section 25-4-1415 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for allocation to the prevention services division, for the fiscal year beginning July 1, 2006, the sum of one million five hundred eighty-four thousand four hundred forty-eight dollars (\$1,584,448) and 1.2 FTE, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 101, strike "PREVENTION." and substitute "PREVENTION, AND MAKING AN APPROPRIATION THEREFOR."

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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 21 was laid over until Monday, April 24, retaining its place on the calendar.

- Consideration of Resolutions: SJR06-019, SJR06-022, SJR06-015, SJR06-029, HJR06-1016, SJR06-031, SJR06-032, SR06-010, SR06-011.
- Consideration of Memorials: SJM06-001, HJM06-1002.
- Consideration of House Amendments to Senate Bills: SB06-014, SB06-041, SB06-204.
- Consideration of House Adherence: HB06-1159
- Consideration of Governor's Appointments:
 - Members of the Read-To-Achieve Board.
 - Members of the Financial Services Board.
 - Members of the Colorado Banking Board.
- Consideration of Conference Committee Reports: HB06-1288, HB06-1209.
- Conference Committees to Report: HB06-1121, HB06-1169, HB06-1251.
- Request for Conference Committee: SB06-051.

On motion of Senator Gordon, the Senate adjourned until 10:00 a.m., Monday, April 24, 2006.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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