

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

55th Legislative Day

Monday, March 6, 2006

Prayer By the chaplain, Rev. Bill Calhoun, Montview Boulevard Presbyterian Church.

Pledge By Senator Gordon.

Call to Order By the President at 10:00 a.m.

Roll Call Present--29.
Absent--4; Evans, McElhany, Spence, Tochtrop.
Excused--2; Brophy, Mitchell.
Present later--Evans, McElhany, Spence, Tochtrop.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Teck, reading of the Journal of March 3, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Trans- After consideration on the merits, the Committee recommends that **HB06-1020** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Trans- After consideration on the merits, the Committee recommends that **HB06-1007** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, line 6, strike "TRANSFEROR IS THE OWNER ON THE" and substitute "TRANSFEROR:";

strike lines 7 and 8 and substitute the following:

"(a) IS THE OWNER ON THE CERTIFICATE OF TITLE, AN OPERATOR, OR A LICENSED MOTOR VEHICLE DEALER; AND

(b) PROVIDES A COMPLETED BILL OF SALE ON A FORM PRESCRIBED BY THE DEPARTMENT OF REVENUE.

(2) A PERSON OTHER THAN A LICENSED MOTOR VEHICLE DEALER WHO PURCHASES OR OTHERWISE RECEIVES A MOTOR VEHICLE FOR THE PURPOSE OF SCRAPPING THE VEHICLE SHALL KEEP THE VEHICLE FOR SEVEN BUSINESS DAYS BEFORE SCRAPPING IT. DURING THE SEVEN DAYS, THE MOTOR VEHICLE, THE BILL OF SALE, AND, IF APPLICABLE, THE DAILY RECORD REQUIRED PURSUANT TO SECTION 42-5-105 SHALL BE OPEN AT ALL TIMES DURING REGULAR BUSINESS HOURS TO INSPECTION BY THE DEPARTMENT OF REVENUE OR ANY PEACE OFFICER."

Renumber succeeding subsection accordingly.

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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 -- SR06-004 and SJR06-012.

CONSIDERATION OF RESOLUTIONS

SR06-004 by Senator(s) Gordon, Fitz-Gerald, McElhany; --Concerning the appointment of an employee for the Senate of the Sixty-fifth General Assembly.

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

Table with 4 columns: YES (33), NO (0), EXCUSED (2), ABSENT (0). Rows list names and their corresponding votes (Y, E).

SJR06-012 by Senator(s) Traylor; also Representative(s) Green--Concerning the proclamation of March 2006 as "Colorectal Cancer Awareness Month".

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

Table with 4 columns: YES (33), NO (0), EXCUSED (2), ABSENT (0). Rows list names and their corresponding votes (Y, E).

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

COMMITTEE OF REFERENCE REPORTS

Education After consideration on the merits, the Committee recommends that SB06-144 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 3, strike "A NEW SECTION" and substitute "THE FOLLOWING NEW SECTIONS";

line 12, strike "IF:" and substitute "IF THE PERSON SATISFIES THE REQUIREMENTS OF SUBSECTION (2) OF THIS SECTION. A STATE COLLEGE OR UNIVERSITY IS REQUIRED TO ENSURE THAT THE OPTION TO ENROLL IN A HEALTH INSURANCE OR DENTAL INSURANCE BENEFIT PLAN IS AVAILABLE ONLY WHEN THE STATE COLLEGE OR UNIVERSITY NEXT NEGOTIATES ITS HEALTH INSURANCE AND DENTAL INSURANCE BENEFIT PLANS AFTER A PERSON SATISFIES THE REQUIREMENTS OF SUBSECTION (2) OF THIS SECTION. THE STATE COLLEGE OR UNIVERSITY SHALL ONLY BE REQUIRED TO OFFER HEALTH INSURANCE AND DENTAL INSURANCE BENEFIT PLANS TO

PERSONS WHO SATISFY THE REQUIREMENTS OF SUBSECTION (2) OF THIS SECTION IF THE ADDITION OF SUCH PERSONS TO THE BENEFIT PLANS WOULD NOT CAUSE EXISTING PREMIUM COSTS TO INCREASE FOR EMPLOYEES AND EMPLOYERS CURRENTLY PARTICIPATING IN THE PLAN. ANY PERSON WHO ENROLLS IN A HEALTH INSURANCE BENEFIT PLAN OR A DENTAL INSURANCE BENEFIT PLAN PROVIDED THROUGH A STATE COLLEGE OR UNIVERSITY PURSUANT TO THIS SECTION SHALL BE RESPONSIBLE FOR PAYING BOTH THE EMPLOYEE'S AND THE EMPLOYER'S SHARE OF THE PREMIUM COSTS OF THE PLAN.

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(2) A PERSON SHALL BE ELIGIBLE TO ENROLL IN A HEALTH INSURANCE BENEFIT PLAN AND A DENTAL INSURANCE BENEFIT PLAN PROVIDED THROUGH A STATE COLLEGE OR UNIVERSITY IF:".

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Renumber succeeding subsections accordingly.

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Page 2, line 14, strike "PER";

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line 15, strike "YEAR;" and substitute "IN A CONSECUTIVE TWELVE-MONTH PERIOD;"

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strike lines 17 and 18 and substitute the following:

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"OR MORE CREDIT HOURS IN A CONSECUTIVE TWELVE-MONTH PERIOD FOR THREE SUCH CONSECUTIVE PERIODS, COMMENCING ON OR AFTER JULY 1, 2003."

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Page 3, strike lines 1 and 2;

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strike lines 10 through 17.

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Renumber succeeding subsection accordingly.

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Page 3, after line 23, insert the following:

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"23-5-134. Instructors - health benefits study - report. (1) THE COLORADO COMMISSION ON HIGHER EDUCATION SHALL CONDUCT A STUDY TO DETERMINE THE IMPACT OF PROVIDING HEALTH AND DENTAL BENEFITS TO PERSONS WHO ARE EMPLOYED BY ONE OR MORE STATE COLLEGES, UNIVERSITIES, OR COMMUNITY COLLEGES AND WHO TEACH AN AGGREGATE OF FIFTEEN OR MORE CREDIT HOURS AT ONE OR MORE STATE COLLEGES, UNIVERSITIES, OR COMMUNITY COLLEGES IN A CONSECUTIVE TWELVE-MONTH PERIOD. IN THE COURSE OF CONDUCTING THE STUDY, THE COMMISSION SHALL DETERMINE BUT SHALL NOT BE LIMITED TO DETERMINING THE FOLLOWING:

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(a) THE NUMBER OF PERSONS WHO ARE EMPLOYED BY ONE OR MORE STATE COLLEGES, UNIVERSITIES, OR COMMUNITY COLLEGES WHO TEACH AN AGGREGATE OF FIFTEEN OR MORE CREDIT HOURS IN A CONSECUTIVE TWELVE-MONTH PERIOD AND WHO, NOTWITHSTANDING THE PROVISIONS OF SECTION 23-5-133, ARE NOT ELIGIBLE TO ENROLL IN A HEALTH INSURANCE BENEFIT PLAN AND A DENTAL INSURANCE BENEFIT PLAN PROVIDED THROUGH A STATE COLLEGE, UNIVERSITY, OR COMMUNITY COLLEGE;

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(b) THE NUMBER OF PERSONS SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (1) WHO ARE TEACHING AT EACH STATE COLLEGE, UNIVERSITY, OR COMMUNITY COLLEGE;

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(c) THE ESTIMATED ANNUAL COST OF PROVIDING HEALTH INSURANCE BENEFITS AND DENTAL INSURANCE BENEFITS TO THE PERSONS SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (1), INCLUDING BUT NOT LIMITED TO THE COST OF PAYING THE EMPLOYER'S SHARE OF THE PREMIUM FOR SUCH BENEFITS AND ANY ADMINISTRATIVE COSTS; AND

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(d) ANY OTHER INFORMATION DEEMED NECESSARY BY THE COLORADO COMMISSION ON HIGHER EDUCATION IN ORDER TO DETERMINE THE IMPACT OF PROVIDING HEALTH INSURANCE BENEFITS AND DENTAL INSURANCE BENEFITS TO THE PERSONS SPECIFIED IN PARAGRAPH (a) OF

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THIS SUBSECTION (1).

(2) THE COLORADO COMMISSION ON HIGHER EDUCATION SHALL WORK WITH EACH STATE COLLEGE, UNIVERSITY, AND COMMUNITY COLLEGE THAT EMPLOYS ONE OR MORE PERSONS WHO TEACH AN AGGREGATE OF FIFTEEN OR MORE CREDIT HOURS AT ONE OR MORE STATE COLLEGES, UNIVERSITIES, OR COMMUNITY COLLEGES IN ORDER TO COLLECT THE INFORMATION REQUIRED PURSUANT TO THIS SECTION.

(3) IN CONNECTION WITH THE STUDY REQUIRED PURSUANT TO THIS SECTION, EACH STATE COLLEGE, UNIVERSITY, AND COMMUNITY COLLEGE SHALL, WHEN IT NEXT NEGOTIATES ITS HEALTH INSURANCE AND DENTAL INSURANCE BENEFIT PLANS, EVALUATE THE OPTIONS FOR AND COSTS OF INCLUDING PERSONS WHO TEACH LESS THAN FULL TIME AT THE STATE COLLEGE, UNIVERSITY, OR COMMUNITY COLLEGE IN SUCH BENEFIT PLANS. EACH STATE COLLEGE, UNIVERSITY, AND COMMUNITY COLLEGE SHALL TRANSMIT ITS FINDINGS TO THE COLORADO COMMISSION ON HIGHER EDUCATION, AND THE COMMISSION SHALL INCLUDE THE FINDING IN THE REPORT REQUIRED PURSUANT TO SUBSECTION (4) OF THIS SECTION.

(4) THE COLORADO COMMISSION ON HIGHER EDUCATION SHALL SUBMIT A REPORT TO THE MEMBERS OF THE HOUSE AND SENATE EDUCATION COMMITTEES, OR ANY SUCCESSOR COMMITTEES, DETAILING THE RESULTS OF THE STUDY CONDUCTED PURSUANT TO THIS SECTION AND INCLUDING THE FINDINGS OF EACH STATE COLLEGE, UNIVERSITY, AND COMMUNITY COLLEGE PURSUANT TO SUBSECTION (3) OF THIS SECTION, NO LATER THAN JANUARY 15, 2007."

Page 4, line 5, strike "IF:" and substitute "IF THE PERSON SATISFIES THE REQUIREMENTS OF SUBSECTION (2) OF THIS SECTION. A COMMUNITY COLLEGE IS REQUIRED TO ENSURE THAT THE OPTION TO ENROLL IN A HEALTH INSURANCE OR DENTAL INSURANCE BENEFIT PLAN IS AVAILABLE ONLY WHEN THE COMMUNITY COLLEGE NEXT NEGOTIATES ITS HEALTH INSURANCE AND DENTAL INSURANCE BENEFIT PLANS AFTER A PERSON SATISFIES THE REQUIREMENTS OF SUBSECTION (2) OF THIS SECTION. THE COMMUNITY COLLEGE SHALL ONLY BE REQUIRED TO OFFER HEALTH INSURANCE AND DENTAL INSURANCE BENEFIT PLANS TO PERSONS WHO SATISFY THE REQUIREMENTS OF SUBSECTION (2) OF THIS SECTION IF THE ADDITION OF SUCH PERSONS TO THE BENEFIT PLANS WOULD NOT CAUSE EXISTING PREMIUM COSTS TO INCREASE FOR EMPLOYEES AND EMPLOYERS CURRENTLY PARTICIPATING IN THE PLAN. ANY PERSON WHO ENROLLS IN A HEALTH INSURANCE BENEFIT PLAN OR A DENTAL INSURANCE BENEFIT PLAN PROVIDED THROUGH A COMMUNITY COLLEGE PURSUANT TO THIS SECTION SHALL BE RESPONSIBLE FOR PAYING BOTH THE EMPLOYEE'S AND THE EMPLOYER'S SHARE OF THE PREMIUM COSTS OF THE PLAN.

(2) A PERSON SHALL BE ELIGIBLE TO ENROLL IN A HEALTH INSURANCE BENEFIT PLAN AND A DENTAL INSURANCE BENEFIT PLAN PROVIDED THROUGH A COMMUNITY COLLEGE IF:"

Renumber succeeding subsections accordingly.

Page 4, line 7, strike "PER YEAR;" and substitute "IN A CONSECUTIVE TWELVE-MONTH PERIOD;"

strike lines 9 through 12 and substitute the following:

"OR MORE CREDIT HOURS IN A CONSECUTIVE TWELVE-MONTH PERIOD FOR THREE SUCH CONSECUTIVE PERIODS COMMENCING ON OR AFTER JULY 1, 2003.";

strike lines 19 through 25.

Renumber succeeding subsection accordingly.

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Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **SB06-193** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, strike lines 4 through 7 and substitute the following:

"37-60-115. Water studies - repeal. (5) (a) THE BOARD SHALL CONDUCT A STUDY OF THE MOST ECONOMICALLY AND TECHNICALLY FEASIBLE AND ECOLOGICALLY SOUND UNDERGROUND STORAGE";

line 13, strike "BENEFITS" and substitute "BENEFITS, INCLUDING THE ENVIRONMENTAL COSTS AND BENEFITS,";

after line 18, insert the following:

"(b) IN CONDUCTING THE STUDY, THE BOARD MAY CONSULT WITH THE INTERBASIN COMPACT COMMITTEE, STATE ENGINEER, AND STATE GEOLOGIST AS DEEMED NECESSARY.".

Reletter succeeding paragraphs accordingly.

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **HB06-1031** be referred to the Committee of the Whole with favorable recommendation.

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **HB06-1032** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 6 through 15 and substitute the following:

"SECTION 4. Effective date. (1) This act shall take effect July 1, 2006.";

after line 17, insert the following:

"SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

Agriculture, Natural Resources, & Energy 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.

Amend printed bill, strike everything below the enacting clause and substitute the following:

"SECTION 1. Part 2 of article 20 of title 8, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

8-20-236. Ethanol content standard - rules. (1) SEVENTY-FIVE PERCENT OF ALL GASOLINE SOLD IN COLORADO, FROM NOVEMBER THROUGH APRIL OF EVERY YEAR, SHALL CONTAIN AT LEAST TEN PERCENT ETHANOL BY VOLUME.

(2) FOR PURPOSES OF CALCULATING COMPLIANCE WITH THE REQUIREMENT IN SUBSECTION (1) OF THIS SECTION:

(a) EVERY GALLON OF E85 FUEL SOLD IN COLORADO SHALL COUNT AS EIGHT AND ONE-HALF GALLONS OF E10 FUEL SOLD; AND

(b) EVERY GALLON OF CELLULOSIC ETHANOL SOLD IN COLORADO SHALL COUNT AS FIVE GALLONS OF E10 FUEL SOLD.

(3) TERMINALS, REFINERIES, AND ENTITIES REQUIRED TO FILE IRS FORM 637 SELLING GASOLINE IN COLORADO SHALL MEET THE REQUIREMENT OF SUBSECTION (1) OF THIS SECTION. EVERY TERMINAL, REFINERY, AND ENTITY AFFECTED BY THIS SUBSECTION (3) SHALL SUBMIT TO THE COLORADO DEPARTMENT OF REVENUE, ON A FORM APPROVED BY THE COLORADO DEPARTMENT OF REVENUE, A MONTHLY STATEMENT CONTAINING THE TOTAL VOLUME OF GASOLINE SOLD AND INDICATING SEPARATELY THE AMOUNT OF E10 FUEL, E85 FUEL, AND CELLULOSIC ETHANOL SOLD IN COLORADO.

(4) FINES SHALL BE IMPOSED FOR FAILURE TO COMPLY WITH THE REQUIREMENTS OF SUBSECTION (1) OR (3) OF THIS SECTION. SUCH FINES SHALL NOT EXCEED FIVE THOUSAND DOLLARS PER VIOLATION PER YEAR FOR WHICH COMPLIANCE IS NOT MET.

(5) THE COLORADO DEPARTMENT OF REVENUE SHALL ADOPT A POLICY THAT EXEMPTS REFINERIES, TERMINALS, AND ENTITIES REQUIRED TO FILE IRS FORM 637 FROM COMPLIANCE WITH SUBSECTION (1) OF THIS SECTION WHEN THE COST OF ETHANOL IS AT LEAST TEN CENTS PER GALLON HIGHER THAN THE WHOLESALE COST OF GASOLINE.

(6) THE COLORADO DEPARTMENT OF REVENUE SHALL PROMULGATE RULES NECESSARY TO ESTABLISH FINES FOR VIOLATIONS AND OTHERWISE TO ENFORCE THIS SECTION.

(7) FOR THE PURPOSES OF THIS SECTION:

(a) "CELLULOSIC ETHANOL" MEANS ETHANOL DERIVED FROM ANY LIGNOCELLULOSIC OR HEMICELLULOSIC MATTER THAT IS AVAILABLE ON A RENEWABLE OR RECURRING BASIS, INCLUDING DEDICATED ENERGY CROPS AND TREES, WOOD AND WOOD RESIDUES, PLANTS, GRASSES, AGRICULTURAL RESIDUES, FIBERS, ANIMAL WASTES AND OTHER WASTE MATERIALS, AND MUNICIPAL SOLID WASTE. THE TERM ALSO INCLUDES ANY ETHANOL PRODUCED IN FACILITIES WHERE ANIMAL WASTES OR OTHER WASTE MATERIALS ARE DIGESTED OR OTHERWISE USED TO DISPLACE NINETY PERCENT OR MORE OF THE FOSSIL FUEL NORMALLY USED IN THE PRODUCTION OF ETHANOL.

(b) "E10 FUEL" MEANS A MOTOR FUEL BLEND OF TEN PERCENT ETHANOL AND NINETY PERCENT GASOLINE BY VOLUME.

(c) "E85 FUEL" MEANS A MOTOR FUEL BLEND OF EIGHTY-FIVE PERCENT ETHANOL AND FIFTEEN PERCENT GASOLINE BY VOLUME.

(d) "ETHANOL" MEANS DOMESTICALLY PRODUCED ETHANOL, INCLUDING, BUT NOT LIMITED TO, CELLULOSIC ETHANOL, THAT IS DERIVED FROM AGRICULTURAL PRODUCTS OR OTHER RENEWABLE RESOURCES AND THAT IS NOT MADE FROM PETROLEUM, NATURAL GAS, OR COAL.

SECTION 2. Effective date. This act shall take effect January 1, 2007.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB06-1108 by Representative(s) Benefield, Borodkin, Butcher, Carroll M., Green, Marshall, McGihon, Merrifield, Solano, Todd, Vigil, Witwer, Larson, Massey; also Senator(s) Shaffer, Williams, Windels--Concerning a requirement that courts order minors under eighteen years of age

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who are convicted of traffic violations other than traffic infractions to attend a driver improvement school.
Transportation

**THIRD READING OF BILLS -- FINAL PASSAGE --
CONSENT CALENDAR**

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

HB06-1180 by Representative(s) Soper; also Senator(s) Kester--Concerning the repeal of the dental advisory committee.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	Tochtrop	Y
Brophy	E	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	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: Dyer, Entz, Jones, Spence and Taylor.

HB06-1319 by Representative(s) Vigil; also Senator(s) Teck--Concerning the renewal of licenses for real estate appraisers.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	Tochtrop	Y
Brophy	E	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	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**.

HB06-1187 by Representative(s) Paccione, Borodkin, Butcher, Carroll M., Cerbo, Coleman, Liston, Marshall; also Senator(s) Veiga--Concerning the continuation of the utility consumers' board.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	Tochtrop	Y
Brophy	E	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	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: Isgar.

HB06-1142 by Representative(s) Cloer, Decker, Kerr, Knoedler; also Senator(s) Williams--Concerning the compensation paid to student election judges.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	Tochtrop	Y
Brophy	E	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	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: Isgar and May R.

HB06-1104 by Representative(s) Ragsdale; also Senator(s) Entz--Concerning a requirement that an applicant for an identification card contain the applicant's fingerprint.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	Tochtrop	Y
Brophy	E	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	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: Dyer, Evans, Isgar, May R., Spence, Taylor and Teck.

HB06-1081 by Representative(s) Ragsdale; also Senator(s) Fitz-Gerald--Concerning a prohibition on the inspection of certain records maintained by designated election officials that relate to the identification of electors.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	Tochtrop	Y
Brophy	E	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	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**.

HB06-1068 by Representative(s) Lindstrom, Berens, Cerbo, McCluskey, McGihon, Ragsdale, Riesberg, Vigil; also Senator(s) Grossman, Entz, Taylor, Tochtrop--Concerning the creation of a social security supplemental plan by the board of directors of the fire and police pension association that will allow employers that cover employees under the federal "Social Security Act" to provide a defined benefit retirement plan to employees.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	Tochtrop	Y
Brophy	E	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	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**.

HB06-1059 by Representative(s) Riesberg, Berens, Cerbo, Lindstrom, McCluskey, McGihon, Ragsdale, Vigil; also Senator(s) Williams, Entz, Taylor, Tochtrop--Concerning the structure of trust funds and investment funds in the administration of assets for the benefit of firefighters and police officers.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	Tochtrop	Y
Brophy	E	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	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**.

HB06-1039 by Representative(s) McFadyen, Larson, Pommer, Ragsdale; also Senator(s) Hagedorn, May R.--Concerning the placement of on-premise advertising devices at comprehensive developments.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	Tochtrop	Y
Brophy	E	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	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**.

HB06-1035 by Representative(s) Ragsdale, Green, Larson; also Senator(s) May R., Williams--Concerning motor vehicles required to stop before crossing at grade railroad tracks.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	Tochtrop	Y
Brophy	E	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	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**.

Committee of the Whole

On motion of Senator Isgar, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Isgar 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:

SB06-143 by Senator(s) Fitz-Gerald; also Representative(s) Madden--Concerning the statute of limitations for civil actions alleging unlawful sexual conduct.

Laid over until Wednesday, March 15, retaining its place on the calendar.

SB06-038 by Senator(s) Tapia; also Representative(s) Knoedler--Concerning investigation of insurance fraud.

Amendment No. 1, Business, Labor, and Technology Committee Amendment.
(Printed in Senate Journal, January 26, page 68 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, February 27, page 345 and placed in members' bill files.)

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

HB06-1030 by Representative(s) Coleman, Carroll M., Cerbo; also Senator(s) Veiga--Concerning the requirement that an insurer make certain disclosures to consumers regarding the content of automobile insurance policies.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

HB06-1055 by Representative(s) Coleman; also Senator(s) Shaffer--Concerning a modification to the exception to the limitation on medical impairment benefits for workers' compensation claims based on mental impairment.

Ordered revised and placed on the calendar for Third Reading and Final Passage.

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.

Laid over until Tuesday, March 7, retaining its place on the calendar.

SB06-067 by Senator(s) Hanna; also Representative(s) Kerr--Concerning suicidal behavior among students in higher education.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, March 2, pages 386-387 and placed in members' bill files.)

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

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HB06-1023 by Representative(s) King; also Senator(s) Windels--Concerning educator licensure. 1
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Amendment No. 1, Education Committee Amendment. 3
 (Printed in Senate Journal, March 2, pages 387-388 and placed in members' bill files.) 4
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 As amended, ordered revised and placed on the calendar for Third Reading and Final 6
 Passage. 7
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HB06-1143 by Representative(s) Gallegos; also Senator(s) Kester--Concerning the authority of a county 9
 clerk and recorder to request criminal history records for individuals who assist in the 10
 process of conducting elections. 11
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 Laid over until Tuesday, March 7, retaining its place on the calendar. 13
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ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE 16

On motion of Senator Isgar, the Report of the Committee of the Whole was adopted and, a 17
 majority of all members elected to the Senate having voted in the affirmative, the 18
 following action was taken: 19
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 Passed on Second Reading: SB06-038 as amended, HB06-1030, HB06-1055, SB06-067 as 22
 amended, HB06-1023 as amended. 23
 Laid over until Tuesday, March 7: HB06-1174, HB06-1143. 24
 Laid over until Wednesday, March 15: SB06-143. 25
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CONSIDERATION OF GOVERNOR'S APPOINTMENTS 28
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On motion of Senator Sandoval, the following Governor's appointment was confirmed by 30
 a roll call vote: 31
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MEMBER OF THE
COLLEGEINVEST BOARD OF DIRECTORS 33
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for a term expiring July 31, 2008: 37
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Patricia Fontneau of Centennial, Colorado, to fill the vacancy occasioned by the 39
 resignation of Debra A. Baldwin of Cherry Hills Village, Colorado, appointed. 40
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YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	Tochtrop	Y
Brophy	E	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	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		

On motion of Senator Gordon, and with a majority of those elected to the Senate having 53
 voted in the affirmative, the balance of the calendar of March 6 was laid over until 54
 Tuesday, March 7, retaining its place on the calendar. 55
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Consideration of Conference Committee Reports: HB06-1215. 60
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SENATE SERVICES REPORT 63
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Correctly Printed: SB06-201, 202, 203, 204, and 205; SR06-004. 65
Correctly Reengrossed: SB06-037. 66
Correctly Revised: HB06-1035, 1039, 1059, 1068, 1081, 1104, 1142, 1180, 1187, 67
 and 1319. 68
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SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB06-1028, 1136.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, March 3, 2006, 2:40 p.m.:

SJR06-002

TRIBUTES

Honoring:

- 2005 Douglas County Huskies Varsity Football team -- by Senators Evans and Wiens.
- Orion Peavy -- by Senator Johnson.
- John Holtorf, Jr. -- by Senator Brophy.
- Dr. Lela Marie Putney -- by Senator Gordon.
- Dr. Glenn Cosh -- by Senator Hanna.
- Lindsey Marquez -- by Senator Johnson.
- Elwin Swartz "Bud" Van Berg -- by Senator Brophy.

On motion of Senator Gordon, the Senate adjourned until 9:00 a.m., Tuesday, March 7, 2006.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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