

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

111th Legislative Day

Monday, May 1, 2006

Prayer	By the chaplain, Rabbi Julian Cook, Congregation Temple Emanuel.	1
Pledge	By Senator Boyd.	2
Call to Order	By the President at 10:00 a.m.	3
Roll Call	Present--35.	4
Quorum	The President announced a quorum present.	5
Reading of Journal	On motion of Senator Isgar, reading of the Journal of April 28, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.	6

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR06-052 by Senator(s) Gordon, Fitz-Gerald, McElhany; also Representative(s) Madden, Romanoff, May M.--Concerning the appointment of a joint committee to notify the Governor that the Second Regular Session of the Sixty-fifth General Assembly is about to adjourn sine die.

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

INTRODUCTION OF BILLS -- FIRST READING

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

SB06-239 by Senator(s) Johnson; --Concerning the regulation of persons who provide for the final disposition of dead human bodies in the course of business.
Business, Labor and Technology

HB06-1050 by Representative(s) Buescher; also Senator(s) Sandoval--Concerning the creation of a budget stabilization fund, and, in connection therewith, requiring the appropriation of general fund moneys and the crediting of portions of general fund surplus and tobacco settlement moneys to the budget stabilization fund under specified circumstances and allowing appropriations from the budget stabilization fund under other specified circumstances.
State, Veterans & Military Affairs

HB06-1283 by Representative(s) Merrifield, Paccione, Benefield, Pommer, Solano, Todd; also Senator(s) Windels--Concerning a requirement that each school district spend at least a specified percentage of its total operational expenditures on services that directly affect student achievement, and making an appropriation therefor.
Education

HB06-1302 by Representative(s) Stengel; also Senator(s) Gordon--Concerning auto emissions testing, and making an appropriation therefor.
Transportation

MESSAGE FROM THE HOUSE

April 28, 2006
Madame President:

The House has adopted and returns herewith SJR06-037.
The House has adopted and returns herewith SJR06-034.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB06-1050, amended as printed in House Journal, April 27, page 1479.
HB06-1302, amended as printed in House Journal, April 27, pages 1479-1485.
HB06-1283, amended as printed in House Journal, April 27, page 1485.

April 28, 2006
Madame President:

The House has voted to concur in the Senate amendments to HB06-1201, 1008, 1274,
1154, 1313, and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB06-1090 and requests
that a conference committee be appointed. The Speaker has appointed Representatives
Green, chairman, McGihon, and Gardner as House conferees on the First Conference
Committee on HB06-1090. The House has granted authorization to go beyond the scope
of the differences. The bill is transmitted herewith.

In response to the request of the Senate, the Speaker has appointed Representatives
Paccione, chairman, Merrifield, and Gardner as House conferees on the First Conference
Committee on SB06-209.

In response to the request of the Senate, the Speaker has appointed Representatives
Riesberg, chairman, Weissmann, and McCluskey as House conferees on the First
Conference Committee on SB06-047.

MESSAGE FROM THE REVISOR OF STATUTES

April 28, 2006

We herewith transmit:

Without comment, as amended, HB06-1050, 1283, and 1302.

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Tupa, Chairman, Fitz-Gerald, and Mitchell as Senate
Conferees on the First Conference Committee on **HB06-1090**.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB06-1090 by Representative(s) Green; also Senator(s) Tupa--Concerning unlawful sexual behavior.

Senator Tupa moved that the Senate Conferees on the First Conference Committee on
HB06-1090 be granted permission to go beyond the scope of the differences between the
two Houses.

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

On motion of Senator Gordon, and with a majority of those elected to the Senate having
voted in the affirmative, the Senate proceeded out of order for Consideration of
Resolutions -- SJR06-041, SJR06-019, SJR06-039.

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CONSIDERATION OF RESOLUTIONS

SJR06-041 by Senator(s) Keller; also Representative(s) Stafford--Concerning the designation of May as Mental Health Month.

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

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

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

SJR06-019 by Senator(s) Williams; also Representative(s) Todd--Concerning World Lupus Day in Colorado.

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

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

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

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.

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

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

Co-sponsors added: Entz, Gordon, Groff, Grossman, Isgar, May R., Sandoval, Tapia, Tochtrop, Veiga and Williams.

COMMITTEE OF REFERENCE REPORTS

Business,
Labor, &
Technology

The Committee on Business, Labor and Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**MEMBERS OF THE
STATE ELECTRICAL BOARD**

for terms expiring July 1, 2008:

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

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

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

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

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

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

Business,
Labor, &
Technology

The Committee on Business, Labor and Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**EXECUTIVE DIRECTOR
OF THE
DEPARTMENT OF LABOR AND EMPLOYMENT**

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

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

Business,
Labor, &
Technology

The Committee on Business, Labor and Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**BOARD OF DIRECTORS OF DENVER METROPOLITAN
MAJOR LEAGUE STADIUM DISTRICT**

for terms expiring August 1, 2009:

John H. Card of Centennial, Colorado, appointed.

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:

SB06-237

by Senator(s) Grossman, Hagedorn, Isgar, Spence, Teck; also Representative(s) Balmer, Benefield, Carroll T., McKinley, Stengel--Concerning interoperable communications among public safety radio systems.

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

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

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

Co-sponsors added: Boyd, Fitz-Gerald, Groff, Jones, Keller, Kester, May R., Sandoval, Shaffer, Tapia, Tochtrop and Wiens.

SB06-228 by Senator(s) Boyd, Mitchell, Fitz-Gerald, Groff; also Representative(s) May M., Carroll T.--Concerning the allocation of revenue received by the scientific and cultural facilities district to pay the reasonable costs related to a coordinated election held on behalf of the district.

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

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

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

Co-sponsors added: Shaffer.

SB06-234 by Senator(s) Groff, Grossman; also Representative(s) Garcia--Concerning best value construction contracting for public projects procured by the state.

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

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	N
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	N	Keller	Y	Spence	N	Wiens	N
Evans	N	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	N	President	Y
Grossman	Y	McElhany	N	Teck	N		

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

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

SB06-236 by Senator(s) Isgar; also Representative(s) Curry--Concerning an exclusion from the definition of exploration for a construction material for activities occurring within a limited area.

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

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

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

Co-sponsors added: May R., Taylor, Tochtrop and Williams.

SB06-214 by Senator(s) Gordon; also Representative(s) Madden--Concerning grants to conduct research on economic opportunities created by efforts to address issues related to climate change, and making an appropriation in connection therewith.

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

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

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

Co-sponsors added: Bacon, Grossman, Shaffer, Tupa, Williams and Windels.

SB06-219 by Senator(s) Keller; also Representative(s) Jahn--Concerning an administrative reorganization of programs administered by the state department of health care policy and policy and financing, and making an appropriation therefor.

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

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

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

Co-sponsors added: Boyd.

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

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

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

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

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

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

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

YES	18	NO	17	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	N
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	N	Keller	Y	Spence	N	Wiens	N
Evans	N	Kester	N	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	N	President	Y
Grossman	Y	McElhany	N	Teck	N		

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

Co-sponsors added: Fitz-Gerald and Groff.

SB06-222 by Senator(s) Grossman; also Representative(s) Hefley--Concerning changes to threshold loss amounts in certain crimes.

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

Third Reading Amendment No. 1(L.003), by Senator Grossman.

Amend engrossed bill, page 1, after line 1, insert the following:

"SECTION 1. Legislative declaration. The general assembly hereby finds and declares that the increase to value-based crimes contained in this act is based upon inflationary changes since the previous time the general assembly enacted an increase to value-based crimes."

Renumber succeeding sections accordingly.

Page 2, line 6, strike "SEVEN" and substitute "SIX";

line 7, strike "FIFTY" and substitute "TWENTY-FIVE";

line 11, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE";

line 22, strike "SEVEN" and substitute "SIX";

line 23, strike "FIFTY" and substitute "TWENTY-FIVE";

line 25, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE".

Page 3, line 4, strike "SEVEN" and substitute "SIX";	1
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line 5, strike "FIFTY" and substitute "TWENTY-FIVE";	3
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line 11, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE";	5
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line 23, strike "SEVEN HUNDRED FIFTY" and substitute "SIX HUNDRED TWENTY-FIVE";	8
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line 25, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE".	11
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Page 4, line 5, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE".	14
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Page 5, line 3, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE";	17
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line 6, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE";	20
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line 17, strike "SEVEN HUNDRED FIFTY" and substitute "SIX HUNDRED TWENTY-FIVE";	23
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line 19, strike "SEVEN" and substitute "SIX";	26
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line 20, strike "FIFTY" and substitute "TWENTY-FIVE";	28
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line 25, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE".	30
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Page 6, line 5, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE";	33
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line 22, strike "SEVEN HUNDRED FIFTY" and substitute "SIX HUNDRED TWENTY-FIVE";	36
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line 24, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE".	39
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Page 7, line 15, strike "SEVEN" and substitute "SIX";	42
	43
line 16, strike "FIFTY" and substitute "TWENTY-FIVE";	44
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line 19, strike "SEVEN HUNDRED FIFTY" and substitute "SIX HUNDRED TWENTY-FIVE";	46
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line 22, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE";	49
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line 24, strike "SEVEN" and substitute "SIX";	52
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line 25, strike "FIFTY" and substitute "TWENTY-FIVE".	54
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Page 8, line 15, "SEVEN HUNDRED FIFTY" and substitute "SIX HUNDRED TWENTY-FIVE";	56
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line 17, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE".	59
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Page 9, line 4, strike "SEVEN HUNDRED FIFTY" and substitute "SIX HUNDRED TWENTY-FIVE";	62
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line 6, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE";	65
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line 17, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE";	68
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line 19, strike "SEVEN" and substitute "SIX";	1
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line 20, strike "FIFTY" and substitute "TWENTY-FIVE".	3
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Page 10, line 3, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE";	5
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line 5, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE";	8
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line 18, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE";	11
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line 19, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE".	14
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Page 11, line 3, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE";	17
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line 5, strike "SEVEN" and substitute "SIX";	20
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line 6, strike "FIFTY" and substitute "TWENTY-FIVE";	22
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line 19, strike "SEVEN HUNDRED FIFTY" and substitute "SIX HUNDRED TWENTY-FIVE";	24
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line 20, strike "SEVEN" and substitute "SIX";	27
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line 21, strike "FIFTY" and substitute "TWENTY-FIVE".	29
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Page 12, line 4, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE";	31
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line 5, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE";	34
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line 20, strike "SEVEN HUNDRED FIFTY" and substitute "SIX HUNDRED TWENTY-FIVE";	37
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line 22, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE".	40
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Page 13, line 17, strike "SEVEN HUNDRED FIFTY" and substitute "SIX HUNDRED TWENTY-FIVE";	43
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line 19, strike "SEVEN" and substitute "SIX";	46
	47
line 20, strike "FIFTY" and substitute "TWENTY-FIVE".	48
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Page 14, line 1, strike "SEVEN" and substitute "SIX";	50
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line 2, strike "FIFTY" and substitute "TWENTY-FIVE";	52
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line 3, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE";	54
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line 12, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE";	57
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line 14, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE";	60
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line 21, strike "SEVEN" and substitute "SIX" and strike "FIFTY" and substitute "TWENTY-FIVE".	63
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A majority of all members elected to the Senate having voted in the affirmative, the amendment was declared adopted .	67
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The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	N
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	N	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

SB06-229

by Senator(s) Fitz-Gerald, Isgar, Taylor; also Representative(s) Plant--Concerning the use of moneys from the operational account of the severance tax trust fund to pay for the state's share of a facility related to a national deep underground science and engineering laboratory to be located in the state.

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

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

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

Co-sponsors added: Boyd, Brophy, Gordon, Groff, Keller, Kester, May R., Mitchell, Owen, Shaffer, Teck, Tochtrop, Tupa, Veiga, Wiens, Williams and Windels.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

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:

HB06-1323

by Representative(s) Marshall, Massey; also Senator(s) Kester--Concerning fraud in the mortgage lending process, and, in connection therewith, imposing a minimum fine, limiting plea bargains, and giving the attorney general concurrent jurisdiction.

Amendment No. 1(L.007), by Senator Kester.

Amend reengrossed bill, page 2, line 17, after "CONVICTED", insert "OF";

line 21, strike "MANDATORY." and substitute "MANDATORY, IN ADDITION TO ANY OTHER PENALTY THE COURT MAY IMPOSE.";

line 24, after "SECTION", insert "THAT INVOLVES THE MORTGAGELENDING PROCESS".

Page 4, line 9, strike "(c)," and substitute "(e) (I),".

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

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

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

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

On motion of Senator Hagedorn, 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: HB06-1323 as amended, HB06-1364.

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

HB06-1054 by Representative(s) Plant; also Senator(s) Groff--Concerning AIDS prevention.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 21, page 1010 and placed in members' bill files.)

Amendment No. 2(L.006), by Senator Groff.

Amend the Appropriations Committee Report, dated April 21, 2006, page 2, line 19, strike "prevention services division," and substitute "disease control and environmental epidemiology division,".

Amendment No. 3(L.007), by Senator Teck.

Amend reengrossed bill, page 3, line 4, after "(3)", insert "(a)";
after line 6, insert the following:

"(b) GRANTS MAY BE GIVEN TO ORGANIZATIONS THAT CONDUCT HIV PREVENTION IN CONJUNCTION WITH OTHER COMORBIDITIES SECONDARY TO HIV INFECTIONS.".

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

Amend reengrossed bill, page 2, line 15, strike "APPROPRIATE" and substitute "ACCURATE".

Page 3, line 18, strike "APPROPRIATE" and substitute "ACCURATE";

line 19, after "PROGRAMS", insert "THAT ARE BASED IN BEHAVIORAL AND SOCIAL SCIENCE THEORY AND RESEARCH";

line 24, strike "APPROPRIATE" and substitute "ACCURATE".

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

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HB06-1006 by Representative(s) Butcher; also Senator(s) Tapia--Concerning referral by an insurance company of an insured to a personal property repair business, and making an appropriation in connection therewith.

Amendment No. 1, Business, Labor, and Technology Committee Amendment.
(Printed in Senate Journal, April 12, pages 820-821 and placed in members' bill files.)

Amendment No. 2(L.006), by Senator Tapia.

Amend reengrossed bill, page 5, line 3, after "ANY", insert "QUALIFIED AND INSURED".

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

HB06-1278 by Representative(s) Weissmann; also Senator(s) Keller--Concerning the public reporting of hospital statistics by means of a hospital report card, and making an appropriation therefor.

Amendment No. 1(L.008), by Senator Keller.

Amend reengrossed bill, page 3, line 9, after "FROM", insert "GENERAL";
line 10, strike "ARTICLE." and substitute "ARTICLE AND PUBLIC HOSPITALS CERTIFIED PURSUANT TO SECTION 25-1.5-103 (1) (a).".

Amendment No. 2(L.007), by Senator Boyd.

Amend reengrossed bill, page 3, strike lines 20 and 21 and substitute the following:

(III) DATA THAT IS SEVERITY AND ACUITY ADJUSTED USING STATISTICAL METHODS THAT SHOW VARIATION IN REPORTED OUTCOMES, WHERE APPLICABLE, AND DATA THAT HAS PASSED STANDARD EDITS;

(IV) REPORTING THE RESULTS WITH SEPARATE DOCUMENTS CONTAINING THE TECHNICAL SPECIFICATION AND MEASURES;"

Renumber succeeding subparagraphs accordingly.

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

HB06-1360 by Representative(s) Riesberg; also Senator(s) Tupa--Concerning the advancement of new bioscience discoveries at Colorado research institutions through evaluation, and making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 21, page 994 and placed in members' bill files.)

Amendment No. 2(L.004), by Senator Tupa.

Amend reengrossed bill, page 6, line 17, after the period, add "AT A MINIMUM, THE REPORT SHALL SPECIFY THE FOLLOWING INFORMATION WITH REGARD TO THE BIOSCIENCE RESEARCH PROJECTS THAT RECEIVED FUNDING UNDER THE PROGRAM DURING THE PRECEDING CALENDAR YEAR:

(I) THE AMOUNT OF FUNDING DISTRIBUTED TO EACH BIOSCIENCE RESEARCH PROJECT AND A DESCRIPTION OF EACH BIOSCIENCE RESEARCH PROJECT;

(II) THE MANNER IN WHICH EACH BIOSCIENCE RESEARCH PROJECT APPLIED THE FUNDING RECEIVED UNDER THE PROGRAM; AND

(III) THE RESULTS ACHIEVED BY EACH BIOSCIENCE RESEARCH PROJECT, INCLUDING IDENTIFIABLE MONETARY RETURNS TO THE GRANTEE AND OTHERS SINCE THE RECEIPT OF THE GRANT."

- As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 1
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- HB06-1347** by Representative(s) McGihon, Buescher, Boyd, Carroll T., Cerbo, Cloer, Decker, Liston, Madden, Penry, Riesberg, Stengel, Todd, White, Witwer; also Senator(s) Traylor, Shaffer, Gordon, Groff, Johnson, Kester, Mitchell, Wiens--Concerning creation of the "Identity Theft and Financial Fraud Deterrence Act". 5
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- Amendment No. 1, Judiciary Committee Amendment. 10
(Printed in Senate Journal, April 18, page 937 and placed in members' bill files.) 11
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- Amendment No. 2, Appropriations Committee Amendment. 13
(Printed in Senate Journal, April 26, page 1050 and placed in members' bill files.) 14
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- Amendment No. 3(L.009), by Senator Traylor. 16
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- Amend reengrossed bill, page 4, line 23, strike "DEPARTMENT" and substitute "DEPARTMENT, THE REPRESENTATIVE OF A PAYMENT PROCESSOR,". 18
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- Page 7, line 25, after "AS", insert "THE". 22
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- As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 25
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- HB06-1339** by Representative(s) Garcia; also Senator(s) Spence--Concerning the creation of a Denver broncos special license plate, and making an appropriation therefor. 28
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- Ordered revised and placed on the calendar for Third Reading and Final Passage. 31
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- HB06-1176** by Representative(s) Ragsdale; also Senator(s) May R.--Concerning the authorization of kit motor vehicles. 33
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- Ordered revised and placed on the calendar for Third Reading and Final Passage. 36
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- HB06-1344** by Representative(s) Plant, Madden; also Senator(s) Fitz-Gerald--Concerning authorization of domestic partnerships between same-sex couples, and, in connection therewith, creating the "Colorado Domestic Partnership Benefits and Responsibilities Act" to extend benefits, protections, and responsibilities to such couples, and making an appropriation. 38
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- Laid over until Tuesday, May 2, retaining its place on the calendar. 43
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- HB06-1387** by Representative(s) Garcia, May M.; also Senator(s) Veiga--Concerning real estate foreclosures. 45
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- Amendment No. 1, Business, Labor, and Technology Committee Amendment. 48
(Printed in Senate Journal, April 27, pages 1071-1077 and placed in members' bill files.) 49
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- Amendment No. 2(L.018), by Senator Veiga. 51
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- Amend reengrossed bill, page 35, line 15, strike "SHALL BE UNTIL THE EARLIER OF" and substitute "PERIOD SHALL NOT BE LESS THAN TEN CALENDAR DAYS NOR GREATER THAN THE LESSER OF"; 53
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- line 21, strike "THE EARLIER OF THIRTY CALENDAR"; 57
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- strike line 22 and substitute the following: 59
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- "THE LAST DAY TO CURE AS INDICATED IN THE CURE STATEMENT." 61
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- As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 64
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- HB06-1330** by Representative(s) Romanoff, Stengel; also Senator(s) Fitz-Gerald, Mitchell--Concerning information filed with the division of insurance by specified types of insurers, and making an appropriation in connection therewith. 67
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Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, page 1051 and placed in members' bill files.)

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

HB06-1317 by Representative(s) Madden; also Senator(s) Fitz-Gerald--Concerning the development of state energy planning information, and, in connection therewith, making an appropriation.

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

HB06-1024 by Representative(s) Frangas; also Senator(s) Tapia--Concerning underserved students at institutions of higher education, and making an appropriation therefor.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 21, page 993 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, page 1051 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 (HB06-1266, HB06-1394, HB06-1306, HB06-1346, HB06-1392, HB06-1337) of May 1, was laid over until the next General Orders -- Second Reading calendar of May 1, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hagedorn, 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: HB06-1054 as amended, HB06-1006 as amended, HB06-1278 as amended, HB06-1360 as amended, HB06-1347 as amended, HB06-1339, HB06-1176, HB06-1387 as amended, HB06-1330 as amended, HB06-1317, HB06-1024 as amended.

Laid over to the next General Orders -- Second Reading of Bills calendar, May 1: HB06-1266, HB06-1394, HB06-1306, HB06-1346, HB06-1392, HB06-1337

Laid over until Tuesday, May 2: HB06-1344.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **SB06-239** be referred to the Committee on Appropriations with favorable recommendation.

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB06-1158** be referred to the Committee on Appropriations with favorable recommendation.

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB06-1388** be referred to the Committee of the Whole with favorable recommendation.

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **HB06-1336** be referred to the Committee on Appropriations with favorable recommendation.

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **HB06-1390** be referred to the Committee of the Whole with favorable recommendation.

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **HB06-1380** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 5, strike lines 17 and 18 and substitute the following:

"MEMBERS TO BE APPOINTED BY THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE, AND THE GOVERNOR:".

Page 6, strike lines 7 and 8 and substitute the following:

"(4) THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE GOVERNOR SHALL SELECT A CHAIRPERSON FROM".

MESSAGE FROM THE HOUSE

May 1, 2006

Madame President:

The House has adopted and transmits herewith HJR06-1024.

The House has adopted and transmits herewith HJR06-1025.

The House has adopted and returns herewith SJR06-046.

The House has adopted and returns herewith SJR06-047.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1406, 1407, 1405.

The House has passed on Third Reading and transmitted to the Revisor of Statutes

HB06-1399, amended as printed in House Journal, April 28, page 1534.

HB06-1400, amended as printed in House Journal, April 28, page 1534.

HB06-1398, amended as printed in House Journal, April 28, page 1534.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;

HB06-1393, amended as printed in House Journal, April 28, page 1533, and amended on Third Reading as printed in House Journal, May 1.

The House has passed on Third Reading and returns herewith SB06-172, 176,188.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;

SB06-015, amended as printed in House Journal, April 28, page 1535.

SB06-020, amended as printed in House Journal, April 28, pages 1535-1536.

SB06-038, amended as printed in House Journal, April 28, page 1535.

SB06-094, amended as printed in House Journal, April 28, page 1535.

SB06-171, amended as printed in House Journal, April 28, page 1537.

SB06-105, amended as printed in House Journal, April 28, page 1538.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;

SB06-152, amended as printed in House Journal, April 28, page 1535-1537, and amended on Third Reading as printed in House Journal, May 1.

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May 1, 2006
Madame President:

CORRECTED MESSAGE:

In response to the request of the Senate, the Speaker has appointed Representatives Paccione, chairman, Merrifield, and Larson as House conferees on the First Conference Committee on SB06-209.

MESSAGE FROM THE REVISOR OF STATUTES

May 1, 2006

We herewith transmit:

Without comment, as amended, HB06-1393, 1399, 1400, 1405, 1406, and 1407.
Without comment, as amended, SB06-015, 020, 038, 094, 105, and 152.
With comment, as amended, HB06-1398.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR06-053 by Senator(s) Tochtrop, Boyd; also Representative(s) Green, Cadman--Concerning the designation of the week of May 14-20, 2006, as Police Week and May 15, 2006, as Peace Officers' Memorial Day.

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

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

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

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

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

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

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

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

HB06-1394 by Representative(s) Vigil; also Senator(s) Teck--Concerning authorization for rental companies of class A motor vehicles to pay two percent of rental fees in lieu of paying on the vehicle's taxable value when paying specific ownership taxes.

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

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HB06-1306 by Representative(s) Knoedler; also Senator(s) Traylor--Concerning the requirement of a statewide audit to study the implementation of the "Secure and Verifiable Identity Document Act".

Amendment No. 1, Finance Committee Amendment.

(Printed in Senate Journal, April 27, page 1078 and placed in members' bill files.)

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

HB06-1346 by Representative(s) McGihon; also Senator(s) Shaffer--Concerning dependent health care coverage for a minor child of a person eligible for dependent coverage.

(Amended in General Orders as printed in Senate Journal, April 21, pages 1007 and 1009.)

Amendment No. 2, Health and Human Services Committee Amendment.

(Printed in Senate Journal, April 27, page 1083 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 Roll Call vote on **HB06-1346**.)

HB06-1392 by Representative(s) Kerr A.; also Senator(s) Boyd--Concerning the authority of the division of alcohol and drug abuse to regulate treatment facilities.

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

HB06-1337 by Representative(s) Butcher, Gallegos, McKinley; also Senator(s) Entz, Taylor--Concerning penalties levied against a person who violates water quality control provisions, and making an appropriation therewith.

Laid over until Tuesday, May 2, retaining its place on the calendar.

Call of the Senate. Call raised.

ROLL CALL VOTE ON HB06-1346

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**.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hagedorn, 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: HB06-1266, HB06-1394, HB06-1306 as amended, HB06-1346 as amended, HB06-1392.

Laid over until Tuesday, May 2: HB06-1337.

COMMITTEE OF REFERENCE REPORTS

Judiciary

After consideration on the merits, the Committee recommends that **SB06-238** be postponed indefinitely.

Judiciary

After consideration on the merits, the Committee recommends that **HB06-1315** be referred to the Committee of the Whole with favorable recommendation.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SCR06-008** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed concurrent resolution, page 3, line 22, strike "general assembly" and substitute "~~general assembly~~ PLAN".

Page 4, line 9, after the period, add "THE PLAN, UPON INTRODUCTION, SHALL BE ASSIGNED TO THE APPROPRIATE COMMITTEE OF REFERENCE OR COMMITTEES OF REFERENCE FOR THE PURPOSE OF RECEIVING PUBLIC INPUT AND TESTIMONY ON THE PLAN.".

Page 7, line 2, after the period, insert "(1)";

line 3, strike "MAY" and substitute "SHALL";

line 6, after the period, add "THE COMMITTEE OR COMMISSION SHALL CONDUCT NO FEWER THAN ONE MEETING FOR SUCH PURPOSES IN EACH CONGRESSIONAL DISTRICT IN THE STATE.";

after line 6, insert the following:

"(2) THE COMMITTEE OR COMMISSION SHALL INCLUDE AT LEAST ONE MEMBER OF THE NONPARTISAN STAFF WHO IS INVOLVED WITH THE PREPARATION OF THE PLAN.";

line 25, after "THEREWITH," insert "REQUIRING, TO THE EXTENT POSSIBLE, THE CREATION OF COMPETITIVE DISTRICTS AND".

Page 1, line 108, after "THEREWITH," insert "REQUIRING, TO THE EXTENT POSSIBLE, THE CREATION OF COMPETITIVE DISTRICTS AND".

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB06-1343** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, line 23, after "WHO", insert "KNOWINGLY".

Page 4, strike lines 10 and 11 and substitute the following:

"FAILS TO CERTIFY TO THE CONTRACTOR THAT THE SUBCONTRACTOR SHALL NOT KNOWINGLY EMPLOY OR CONTRACT WITH AN ILLEGAL ALIEN TO PERFORM WORK UNDER THE PUBLIC CONTRACT FOR SERVICES.";

after line 24, insert the following:

"(II) A PROVISION THAT, IF THE CONTRACTOR OBTAINS ACTUAL KNOWLEDGE THAT A SUBCONTRACTOR PERFORMING WORK UNDER THE PUBLIC CONTRACT FOR SERVICES KNOWINGLY EMPLOYS OR CONTRACTS WITH AN ILLEGAL ALIEN, THE CONTRACTOR SHALL BE REQUIRED TO:

(A) NOTIFY THE CONTRACTING STATE AGENCY OR POLITICAL SUBDIVISION WITHIN THREE DAYS THAT THE SUBCONTRACTOR IS EMPLOYING OR CONTRACTING WITH AN ILLEGAL ALIEN; AND

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(B) TERMINATE THE SUBCONTRACT WITH THE SUBCONTRACTOR IF WITHIN THREE DAYS THE SUBCONTRACTOR DOES NOT STOP EMPLOYING OR CONTRACTING WITH THE ILLEGAL ALIEN."

Renumber succeeding subparagraph accordingly.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB06-1365** be postponed indefinitely.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB06-1211** 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 lines 13 through 18 and substitute the following:

"(a) INDICATING TO A RECIPIENT THAT THE RECIPIENT CANNOT HAVE AN ADVOCATE, FAMILY MEMBER, OR OTHER AUTHORIZED REPRESENTATIVE ASSIST THE RECIPIENT; OR

(b) (I) AN ADVERSE ACTION THAT NEGATIVELY AFFECTS A RECIPIENT'S LEVEL OF ELIGIBILITY FOR OR RECEIPT OF SERVICES RECEIVED AT THE TIME OF THE COMPLAINT WITHOUT VERIFICATION OF A CHANGE IN THE RECIPIENT'S INCOME, RESOURCES, OR HEALTH CARE NEEDS THAT JUSTIFY THE ADVERSE ACTION.

(II) NO ADVERSE ACTION SHALL BE TAKEN AGAINST A RECIPIENT AFTER A COMPLAINT HAS BEEN FILED UNTIL THE RECIPIENT IS NOTIFIED OF THE PROPOSED ACTION, INFORMED OF THE REASON FOR THE PROPOSED ACTION, AND PROVIDED AN OPPORTUNITY TO APPEAL THE PROPOSED ACTION."

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB06-204

by Senator(s) Windels; also Representative(s) Madden--Concerning appointments to the governing boards of state institutions of higher education.

Senator Windels moved that the Senate concur in House amendments to **SB06-204**, as printed in House Journal, April 18, page 1320 and April 19, pages 1329-1330. The motion was **passed** by the following roll call vote:

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

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

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

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

SB06-066 by Senator(s) Groff; also Representative(s) Todd--Concerning parental involvement in kindergarten through twelfth grade education.

Laid over until May 11, 2006.

SB06-080 by Senator(s) Tochtrop; also Representative(s) Soper--Concerning the creation of the support the troops special license plate for motor vehicles, and making an appropriation therefor.

Senator Tochtrop moved that the Senate concur in House amendments to **SB06-080**, as printed in House Journal, April 21, page 1408. The motion was LOST on the following roll call vote:

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

Senator Tochtrop moved that the Senate not concur in House amendments to **SB06-080**, as printed in House Journal, April 21, page 1408, and that a Conference Committee be appointed.

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

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

Senator Tochtrop moved that the Senate Conferes on the First Conference Committee on **SB06-080** be granted permission to go beyond the scope of the differences between the two Houses.

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

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS (cont.)

SB06-037 by Senator(s) Isgar; also Representative(s) Curry--Concerning the adjudication of recreational in-channel diversions.

Senator Isgar moved that the Senate concur in House amendments to **SB06-037**, as printed in House Journal, April 26, pages 1441-1442. The motion was **passed** by the following roll call vote:

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

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

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

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

SB06-008 by Senator(s) May R., Williams; also Representative(s) Pommer, Green, Hefley, Knoedler, Larson, Ragsdale--Concerning the regulation of commercial motor vehicles that transport hazardous materials over the public highways.

Senator May moved that the Senate concur in House amendments to **SB06-008**, as printed in House Journal, April 26, page 1443. The motion was **passed** by the following roll call vote:

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

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

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

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

SB06-041 by Senator(s) Veiga; also Representative(s) Coleman, Cadman, Carroll M.--Concerning the application of the health insurance prompt pay provisions to claims made as a result of a motor vehicle accident.

Senator Veiga moved that the Senate concur in House amendments to **SB06-041**, as printed in House Journal, March 31, page 969 and April 4, page 1022. The motion was **passed** by the following roll call vote:

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

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

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

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

Co-sponsors added: Boyd, Groff and Spence.

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Tochtrop, Chairman, Williams, and Spence as Senate Conferees on the First Conference Committee on **SB06-080**.

INTRODUCTION OF BILLS -- FIRST READING

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

- HB06-1393** by Representative(s) Curry, Buescher; also Senator(s) Isgar--Concerning the use of severance tax revenues by the department of agriculture for the natural resources conservation matching grants program.
Agriculture, Natural Resources & Energy
- HB06-1398** by Representative(s) Plant, Buescher, Hall; also Senator(s) Owen, Keller, Tapia--Concerning clarification of the manner in which the transfer of net revenue of the state sales and use tax to specified funds as currently authorized by law is to be administered.
Finance
- HB06-1399** by Representative(s) Hall, Plant, Buescher; also Senator(s) Tapia, Keller, Owen--Concerning the authority to use a percentage of stipend spending authority to purchase postsecondary educational services if authorized by a fee-for-service contract.
Finance
- HB06-1400** by Representative(s) Buescher, Penry, Curry; also Senator(s) Isgar--Concerning interbasin compacts, and, in connection therewith, approving the interbasin compact charter, altering the boundaries that define certain western slope basin roundtables, and making an appropriation .
Agriculture, Natural Resources & Energy

- HB06-1405**
by Representative(s) Plant, Buescher, Hall; also Senator(s) Tapia, Keller, Owen--
1
- Concerning a supplemental appropriation to capital construction.
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- State, Veterans & Military Affairs
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- HB06-1406**
by Representative(s) Solano; also Senator(s) Boyd--Concerning the regulation of electronic
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- devices that are designed to cause traffic lights to change.
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- Transportation
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- 8
- HB06-1407**
by Representative(s) Pommer; also Senator(s) Boyd--Concerning workers' compensation
9
- coverage for an independent contractor working as a driver.
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- Judiciary
11

Senate in recess. Senate reconvened.

MESSAGE FROM THE GOVERNOR

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

April 27, 2006

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

Ladies and Gentlemen:

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

MEMBERS OF THE
 WILDLIFE COMMISSION

for terms expiring March 1, 2010:

James "Roy" L. McNally of Craig, Colorado, to serve as a representative of agricultural
 or produce growers from the Wildlife District 1 and as a Democrat, appointed;

J. Bradford Coors of Littleton, Colorado, to serve as a public at large member from the
 Wildlife District 5 and as a Republican, appointed;

Jeffrey A. Crawford of Englewood, Colorado, to serve as a public at large member from
 the Wildlife District 5 and as a Republican, reappointed.

This letter shall amend, repeal and supercede the letter dated April 12, 2006 pertaining to
 the Wildlife Commission.

Sincerely,
 (signed)
 Bill Owens
 Governor
 Rec'd: 4/27/06
 Karen Goldman, Secretary of the Senate

Committee on Agriculture, Natural Resources & Energy

MESSAGE FROM THE GOVERNOR

April 28, 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 Acts:

S.B. 06-023 – Concerning The Placement Of Inmates Classified Higher Than Medium Custody In Private Prisons.

Approved April 28, 2006 at 9:48 a.m.

S.B. 06-113 – Concerning A Prohibition On Discrimination By A Life Insurance Company Based On An Insured’s Foreign Travel.

Approved April 28, 2006 at 2:18 p.m.

Sincerely,
(signed)
Bill Owens
Governor
Rec'd 4/28/06, 3:33 p.m.
Karen Goldman, Secretary of the Senate

SENATE SERVICES REPORT

Correctly Engrossed: SB06-214, 219, 222, 227, 228, 229, 230, 234, 236, and 237.
Correctly Reengrossed: SB06-221, 225, 233, and 235.
Correctly Rerevised: HB06-1018, 1046, 1072, 1086, 1124, 1127, 1147, 1157, 1161, 1277, 1293,1294, 1314, 1379, 1381, and 1383.

COMMITTEE OF REFERENCE REPORTS

State,
Veterans, &
Military
Affairs

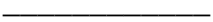
After consideration on the merits, the Committee recommends that HB06-1384 be referred to the Committee on Agriculture, Natural Resources, & Energy with favorable recommendation.

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 May 1 was laid over until Tuesday, May 2, retaining its place on the calendar.

Consideration of Resolutions: SJR06-029, SJR06-022, HJR06-1016, SR06-010, SJR06-033, SJR06-036, SJR06-038, SJR06-040, SJR06-042, SJR06-043, SJR06-044, SJR06-045, SJR06-049, SR06-012, HJR06-1023, SJR06-051.
Consideration of Memorials: SJM06-001, HJM06-1002, SJM06-004.
Consideration of House Amendments to Senate Bills: SB06-014.
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.
Member of the Board of Trustees for Western State College of Colorado.
Executive Director of the Colorado Commission on Higher Education.

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- Member of the Colorado State Fair Authority Board of Commissioners. 1
- Member of the CoverColorado Board of Directors. 2
- Members of the Examining Board of Plumbers. 3
- Members of the Colorado Tourism Office Board of Directors. 4
- Members of the Colorado Limited Gaming Control Commission. 5
- State Board of Equalization. 6
- Member of the State Board of Stock Inspection Commissioners. 7
- Members of the State Board of Nursing. 8
- Members of the Air Quality Control Commission. 9
- Members of the Colorado Children's Trust Fund Board. 10
- Conference Committees to Report: HB06-1121, HB06-1169, SB06-051. 11



On motion of Senator Gordon, the Senate adjourned until 9:00 a.m., Tuesday, May 2, 2006.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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