

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

---

87th Legislative Day

Friday, April 7, 2006

---

Prayer By Senator Fitz-Gerald.

Pledge By Senator Gordon.

Call to Order By the President at 9:30 a.m.

Roll Call Present--32.  
Excused--3; Groff, Hagedorn, Williams.  
Present later--Groff.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Brophy, reading of the Journal of April 6, 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 **SB06-224** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike lines 21 and 22.

Page 3, strike lines 1 through 8;

line 9, strike "(1)";

line 12, strike "EQUIPPED." and substitute "EQUIPPED AND IF SO, THE TYPE OF DATA RECORDED.";

strike lines 13 through 27.

Page 4, strike lines 1 through 24.

---

**MESSAGE FROM THE HOUSE**

April 6, 2006

Madame President:

The House has adopted and transmits herewith HJM06-1002

The House has voted to concur in the Senate amendments to HB06-1377 and has repassed the bill as so amended.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1347, amended as printed in House Journal, April 5, pages 1053-1056, and amended on Third Reading as printed in House Journal, April 6.  
HB06-1355, amended as printed in House Journal, April 5, page 1056.

The House has passed on Third Reading and returns herewith SB06-195.

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67

SB06-067, amended as printed in House Journal, April 5, pages 1056-1058, and amended on Third Reading as printed in House Journal, April 6.  
SB06-071, amended as printed in House Journal, April 5, pages 1058-1062.

---

**MESSAGE FROM THE REVISOR OF STATUTES**

April 6, 2006

We herewith transmit:

Without comment, as amended, HB06-1347 and 1355.  
Without comment, as amended, SB06-067 and 071.

---

**MESSAGE FROM THE GOVERNOR**

April 6, 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. 06-055 – Concerning Reports Of Assaults In Schools.

Approved April 6, 2006 at 2:34 p.m.

S.B. 06-097 – Concerning Reports Related To Incidents At Licensed Long-Term Care Facilities.

Approved April 6, 2006 at 11:05 a.m.

S.B. 06-154 – Concerning The Creation Of A Central Statutory Reference For Statutes That Authorize The Use Of The Power Of Eminent Domain.

Approved April 6, 2006 at 11:10 a.m

Sincerely,  
(signed)  
Bill Owens  
Governor  
Rec'd 04/06/06 3:55 p.m.  
Karen Goldman, Secretary of the Senate

---

**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:

**SB06-122** by Senator(s) Traylor; also Representative(s) Weissmann--Concerning creation of the adolescent substance abuse prevention and treatment fund, and making an appropriation in connection therewith.

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Hagedorn	E	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	E
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, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Isgar, Jones, Keller, Kester, Sandoval, Shaffer, Spence, Teck, Tochtrop, Tupa, Veiga and Windels.

**SB06-045** by Senator(s) Williams, Jones; also Representative(s) Solano, Hefley, Merrifield-- Concerning the investigation of child care providers, and making an appropriation therefor.

Laid over until Monday, April 10, retaining its place on the calendar.

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

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

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

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, SB06-049, SB06-059, HB06-1185 were advanced to the top of the General Orders -- Second Reading of Bills calendar.

**SB06-049** by Senator(s) Bacon, Evans, Tapia; also Representative(s) Lindstrom, Borodkin, Massey-- Concerning the transfer of the state council on the arts from the department of higher education to the Colorado office of economic development.

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

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

Amendment No. 1, Health and Human Services Committee Amendment.  
(Printed in Senate Journal, January 30, pages 83-84 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, March 31, page 720 and placed in members' bill files.)

Amendment No. 3(L.005), by Senator Tapia.

Amend the Appropriations Committee Report, dated March 31, 2006, page 1, strike line 2, and substitute the following:

"26, 2006, page 2, strike lines 7 and 8 and substitute the following:

"general fund not otherwise".

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72

**HB06-1185** by Representative(s) Curry, Borodkin, Lindstrom, Madden, McFadyen, Pommer, Sullivan, Lundberg, Merrifield, Weissmann; also Senator(s) Isgar--Concerning the provision of compensation to a surface owner for a decrease in fair market value of a surface estate reasonably expected to result from oil and gas operations, and, in connection therewith, modifying notification procedures for applications for surface development.

Laid over until May 11, 2006.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

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

Passed on Second Reading: SB06-049, SB06-059 as amended.  
 Laid over until Monday, April 10: HB06-1090, SB06-143, HB06-1325, SB06-044, SB06-141, SB06-046, SB06-138, SB06-212, SB06-170.  
 Laid over until May 11, 2006: HB06-1185.

---

**SENATE SERVICES REPORT**

**Correctly Engrossed:** SB06-045, and 122.  
**Correctly Reengrossed:** SB06-173, 206, 207, 211, and 215.  
**Correctly Rerevised:** HB06-1193, 1338, 1351, and 1385.

---

**SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS**

The President has signed: HB06-1115, 1189.

---

**TRIBUTES**

Honoring:

Michael A. Solomon -- by Senator Spence.

---

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of April 7 was laid over until Monday, April 10, 2006, retaining its place on the calendar.

Consideration of Resolutions: SJR06-019, SJR06-020, SJR06-022, SJR06-023.  
 Consideration of Memorials: SJM06-001.  
 Consideration of House Amendments to Senate Bills: SB06-014, SB06-021, SB06-041.  
 Consideration of Governor's Appointments:  
 Members of the Read-To-Achieve Board.  
 Consideration of Conference Committee Reports: SB06-145.  
 Conference Committee to Report: HB06-1121, HB06-1273, HB06-1075, HB06-1107, HB06-1169, HB06-1354, HB06-1251, HB06-1288, HB06-1021.  
 Request for Conference Committee: HB06-1209.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66

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

Approved:

Joan Fitz-Gerald  
President of the Senate

Attest:

Karen Goldman  
Secretary of the Senate

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19