

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

71st Legislative Day

Wednesday, March 22, 2006

Prayer By the chaplain, Rev. Paul Spurlock, St. Thomas Episcopal Church, Denver.

Pledge By Senator Wiens.

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

Roll Call Present--32.
Absent--1; Mitchell.
Excused--1; Owen.
Vacancy--1.
Present later--Mitchell.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Lamborn, reading of the Journal of March 21, 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 **HB06-1108** be portation amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, strike line 14 and substitute the following:

"COURT."

Trans- After consideration on the merits, the Committee recommends that **HB06-1107** be portation amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, line 14, strike "COLORADO";

line 18, strike "COLORADO";

line 26, strike "COLORADO".

Page 4, line 3, strike "COLORADO";

line 10, strike "COLORADO";

line 13, strike "COLORADO";

strike lines 24 and 25 and substitute the following:

"DOES NOT HOLD A VALID DRIVER'S LICENSE AND HAS PROPER".

Page 6, line 1, strike "COLORADO";

line 3, after "CYCLE,", insert "IS AUTHORIZED UNDER THIS ARTICLE TO DRIVE A MOTORCYCLE OR MOTOR-DRIVEN CYCLE AND IS";

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line 10, strike "COLORADO";

line 12, strike "FROM COLORADO";

line 18, strike "COLORADO";

line 22, strike "COLORADO".

Page 7, strike lines 5 and 6 and substitute the following:

"PARAGRAPH (b), DOES NOT HOLD A VALID DRIVER'S LICENSE AND HAS";

line 26, strike "COLORADO".

Page 8, line 17, strike "COLORADO";

line 19, after "CYCLE," insert "IS AUTHORIZED UNDER THIS ARTICLE TO DRIVE A MOTORCYCLE OR MOTOR-DRIVEN CYCLE AND IS";

line 25, strike "COLORADO".

Page 9, line 2, strike "COLORADO";

strike lines 12 and 13 and substitute the following:

"PARAGRAPH (d), DOES NOT HOLD A VALID DRIVER'S LICENSE AND HAS".

MESSAGE FROM THE HOUSE

March 21, 2006

Madame President:

The House has passed on Third Reading and returns herewith SB06-070, 124, 116, 010.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB06-154, amended as printed in House Journal, March 20, page 824.

The House has adopted and returns herewith SJR06-016 and SJR06-017.

March 21, 2006

Madame President:

The House has postponed indefinitely SB06-027, 164. The bills are returned herewith.

MESSAGE FROM THE REVISOR OF STATUTES

March 21, 2006

We herewith transmit:

Without comment, as amended, SB06-154.

CHANGE IN SPONSORSHIP

President Fitz-Gerald announced the following changes in sponsorship due to the resignation of Senator Hanna:

- Senator Shaffer will be the prime sponsor on HB06-1010.
 - Senator Sandoval will be the prime sponsor on HB06-1056.
 - Senator Windels will be the prime sponsor on HB06-1095.
 - Senator Mitchell will be the prime sponsor on HB06-1073.
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INTRODUCTION OF RESOLUTIONS

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

SR06-008 by Senator(s) Evans, Grossman; --Concerning public participation in proceedings of the state Senate through electronic means.
State, Veterans & Military Affairs

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SJR06-018 by Senator(s) Sandoval; also Representative(s) Jahn--Concerning Single Parents' Day.

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

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

* Vacancy in Senate District 21.

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

INTRODUCTION OF BILLS -- FIRST READING

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

SB06-214 by Senator(s) Gordon; --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.
Finance

SB06-215 by Senator(s) McElhany; also Representative(s) Penry--Concerning a military preference for limited hunting licenses.
Agriculture, Natural Resources & Energy

SB06-216 by Senator(s) Bacon, McElhany, Windels; also Representative(s) McFadyen, Berens, Riesberg--Concerning transfers to the capital construction fund.
Finance

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.
Health and Human Services

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills -- Final Passage calendar (SB06-205, SB06-203, SB06-204, HB06-1010, HB06-1095, HB06-1174, HB06-1056, SCR06-003, HB06-1137, HB06-1122, SB06-197, HB06-1088, HB06-1237, HB06-1190, HB06-1071) of March 22 was laid over until Friday, March 24, retaining its place on the calendar.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills calendar (SB06-109, SB06-143, HB06-1123, SB06-202, HB06-1148, HB06-1077, HB06-1255, HB06-1212, HB06-1196, HB06-1121, SB06-201, HB06-1021, HB06-1240, HB06-1249, HB06-1244, HB06-1016, SB06-073, SB06-179, SB06-110, SB06-144, HB06-1120, SB06-105, SB06-024, SB06-195, SB06-064, SB06-063, HB06-1119, HB06-1269, HB06-1299) of March 22 was laid over until Friday, March 24, retaining its place on the calendar.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Governor's Appointments.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Isgar, the following Governor's appointment was confirmed by a roll call vote:

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

for a term expiring July 1, 2009:

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

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

* Vacancy in Senate District 21.

On motion of Senator Tupa, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
COLORADO BOARD OF VETERANS AFFAIRS

for terms expiring June 30, 2009:

Marvin L. Meyers of Denver, Colorado, to serve as a veteran and as a Democrat, reappointed;

Armando R. Atencio of San Pablo, Colorado, to fill the vacancy occasioned by the resignation of Rodolfo F. Arguello of San Pablo, Colorado, and to serve as a veteran and as a Democrat, appointed.

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

* Vacancy in Senate District 21.

On motion of Senator Isgar, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
STATE AGRICULTURAL COMMISSION

for terms expiring March 1, 2009:

Donald S. Rutledge of Yuma, Colorado, to serve as a Democrat from the Second Agricultural District, appointed;

Bradley A. Rock of Wray, Colorado, to serve as a Republican from the Second Agricultural District, reappointed;

Del R. Chase of Lamar, Colorado, to serve as a Republican from the Third Agricultural District, appointed.

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

* Vacancy in Senate District 21.

On motion of Senator Hagedorn, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
COLORADO HEALTH FACILITIES AUTHORITY
BOARD OF DIRECTORS

for a term expiring June 30, 2007:

Ann C. Kiley of Denver, Colorado, to fill the vacancy occasioned by the resignation of Mary A. Fairchild of Denver, Colorado, and to serve as a Democrat, appointed.

for terms expiring June 30, 2009:

Andrea C. Dikeou of Denver, Colorado, to serve as a Republican, reappointed;

H. Ben Weindling of Pueblo, Colorado, to serve as a Democrat, reappointed;

Lance L. Luckett of Carbondale, Colorado, to serve as a Democrat, reappointed.

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

* Vacancy in Senate District 21.

On motion of Senator Windels, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE PRIVATE OCCUPATIONAL SCHOOL BOARD

for a term expiring July 1, 2008:

Jerald B. Sirbu of Littleton, Colorado, to fill the vacancy occasioned by the resignation of Gayla G. Henry of Aurora, Colorado, and to serve as an owner or operator of a private occupational school that receives Title IV funds, appointed.

Table with 8 columns: YES (33), NO (0), EXCUSED (1), ABSENT (0). Rows list members: Bacon, Brophy, Dyer, Entz, Evans, 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, Vacant, Veiga, Wiens, Williams, Windels, President.

* Vacancy in Senate District 21.

On motion of Senator Veiga, the following Governor's appointment was confirmed by a roll call vote:

MEMBERS OF THE BOARD OF REAL ESTATE APPRAISERS

for terms expiring July 1, 2008:

Joseph B. O'Dorisio of Arvada, Colorado, to serve as an officer or employee of a commercial bank experienced in real estate lending, reappointed;

Thomas L. Fellows of Colorado Springs, Colorado, to serve as a licensed or certified appraiser, appointed;

Karen L. Tool of Fort Collins, Colorado, to serve as a licensed or certified appraiser, appointed;

Keren L. Prior of Pagosa Springs, Colorado, to serve as a county assessor in office, reappointed.

Table with 8 columns: YES (33), NO (0), EXCUSED (1), ABSENT (0). Rows list members: Bacon, Brophy, Dyer, Entz, Evans, 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, Vacant, Veiga, Wiens, Williams, Windels, President.

* Vacancy in Senate District 21.

On motion of Senator Veiga, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE SECURITIES BOARD

for terms expiring July 1, 2008:

John L. Herzog of Colorado Springs, Colorado, to serve as a member of the public at large, appointed;

Herrick K. Lidstone, Jr. of Centennial, Colorado, to serve as a member who is licensed by the State Supreme Court to practice law in the state of Colorado and who is conversant in securities law, reappointed.

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

* Vacancy in Senate District 21.

On motion of Senator Isgar, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
WATER QUALITY CONTROL COMMISSION

for terms expiring February 15, 2009:

Gary L. Teague of Fort Morgan, Colorado, appointed;

Robert T. Sakata of Brighton, Colorado, reappointed;

Jeffrey T. Bedingfield of Greeley, Colorado, reappointed.

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

* Vacancy in Senate District 21.

On motion of Senator Grossman, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
JUVENILE PAROLE BOARD

for a term expiring at the pleasure of the Governor:

Suzanne S. Ageton of Boulder, Colorado, to fill the vacancy occasioned by the resignation of Jacklynne A. Herbst of Lakewood, Colorado, and to serve as a local elected official, appointed.

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

* Vacancy in Senate District 21.

On motion of Senator Hagedorn, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE COLORADO TRAUMATIC BRAIN INJURY BOARD

for a term expiring June 30, 2007:

Christina G. Hoagland of Grand Junction, Colorado, to fill the vacancy occasioned by the resignation of Pamela A. Law of Westminster, Colorado, and to serve as a speech pathologist who has experience working with persons with traumatic brain injuries, appointed.

for terms expiring June 30, 2008:

Melissa Francis of Denver, Colorado, to serve as a member of the public who has experience with persons with traumatic brain injuries, reappointed;

Susan A. Parker-Singler of Colorado Springs, Colorado, to serve as a clinical research scientist who has experience evaluating persons with traumatic brain injuries, appointed;

A. Stewart Levy, M.D., of Denver, Colorado, to serve as a neurologist who has experience working with persons with traumatic brain injuries, reappointed.

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

* Vacancy in Senate District 21.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB06-1335** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Local Government After consideration on the merits, the Committee recommends that **HB06-1183** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Local Government After consideration on the merits, the Committee recommends that **HB06-1165** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Local Government After consideration on the merits, the Committee recommends that **HB06-1085** be referred to the Committee on Appropriations with favorable recommendation.

Local Government After consideration on the merits, the Committee recommends that **HB06-1268** 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 3 through 5;
- line 14, strike the second "THE";
- strike line 15 and substitute the following:

"SIXTY DAYS AFTER THE LAST PUBLICATION OF THE NOTICE REQUIRED BY PARAGRAPH (b) OF SUBSECTION (2) OF";

after line 26, insert the following:

"(6) IF A PERSON SUBMITS TO A CORPORATION A LEGITIMATE CLAIM TO A LOT, GRAVE SPACE, NICHE, OR CRYPT THAT THE CORPORATION HAS RECLAIMED PURSUANT TO THIS SECTION, THE CORPORATION SHALL TRANSFER TO THE PERSON AT NO CHARGE A LOT, GRAVE SPACE, NICHE, OR CRYPT THAT, TO THE EXTENT POSSIBLE, IS EQUIVALENT TO THE RECLAIMED LOT, GRAVE SPACE, NICHE, OR CRYPT.

(7) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, A CORPORATION SHALL NOT CONVEY TITLE TO THE REAL PROPERTY SURVEYED AS A LOT IN A CEMETERY FOR USE AS A BURIAL SPACE. A CORPORATION MAY GRANT INTERMENT RIGHTS TO A LOT, GRAVE SPACE, NICHE, OR CRYPT IN A CEMETERY."

Page 4, strike lines 18 through 20.

Page 5, strike line 3 and substitute the following:

"WITHIN SIXTY DAYS AFTER THE LAST PUBLICATION OF THE NOTICE REQUIRED BY PARAGRAPH (b) OF";

after line 15, insert the following:

"(6) IF A PERSON SUBMITS TO A CEMETERY AUTHORITY A LEGITIMATE CLAIM TO A LOT, GRAVE SPACE, NICHE, OR CRYPT THAT THE CEMETERY AUTHORITY HAS RECLAIMED PURSUANT TO THIS SECTION, THE CEMETERY AUTHORITY SHALL TRANSFER TO THE PERSON AT NO CHARGE A LOT, GRAVE SPACE, NICHE, OR CRYPT THAT, TO THE EXTENT POSSIBLE, IS EQUIVALENT TO THE RECLAIMED LOT, GRAVE SPACE, NICHE, OR CRYPT.

(7) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, A CEMETERY AUTHORITY SHALL NOT CONVEY TITLE TO THE REAL PROPERTY SURVEYED AS A LOT IN A CEMETERY FOR USE AS A BURIAL SPACE. A CEMETERY AUTHORITY MAY GRANT INTERMENT RIGHTS TO A LOT, GRAVE SPACE, NICHE, OR CRYPT IN A CEMETERY."

Page 6, strike lines 8 through 10;

strike line 20 and substitute the following:

"WITHIN SIXTY DAYS AFTER THE LAST PUBLICATION OF THE NOTICE REQUIRED BY PARAGRAPH (b) OF".

Page 7, after line 5, insert the following:

"(6) IF A PERSON SUBMITS TO A CEMETERY DISTRICT A LEGITIMATE CLAIM TO A LOT, GRAVE SPACE, NICHE, OR CRYPT THAT THE CEMETERY DISTRICT HAS RECLAIMED PURSUANT TO THIS SECTION, THE CEMETERY DISTRICT SHALL TRANSFER TO THE PERSON AT NO CHARGE A LOT, GRAVE SPACE, NICHE, OR CRYPT THAT, TO THE EXTENT POSSIBLE, IS EQUIVALENT TO THE RECLAIMED LOT, GRAVE SPACE, NICHE, OR CRYPT.

(7) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, A CEMETERY DISTRICT SHALL NOT CONVEY TITLE TO THE REAL PROPERTY SURVEYED AS A LOT IN A CEMETERY FOR USE AS A BURIAL SPACE. A CEMETERY DISTRICT MAY GRANT INTERMENT RIGHTS TO A LOT, GRAVE SPACE, NICHE, OR CRYPT IN A CEMETERY.";

strike lines 25 and 26.

Page 8, line 8, strike "THE TWO-YEAR";

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line 9, strike "PERIOD DESCRIBED IN PARAGRAPH (c)" and substitute "SIXTY DAYS AFTER THE LAST PUBLICATION OF THE NOTICE REQUIRED BY PARAGRAPH (b)";

after line 19, insert the following:

"(6) IF A PERSON SUBMITS TO THE GOVERNING BODY OF A MUNICIPALITY A LEGITIMATE CLAIM TO A BURIAL SPACE THAT THE GOVERNING BODY HAS RECLAIMED PURSUANT TO THIS SECTION, THE GOVERNING BODY SHALL TRANSFER TO THE PERSON AT NO CHARGE A BURIAL SPACE THAT, TO THE EXTENT POSSIBLE, IS EQUIVALENT TO THE RECLAIMED BURIAL SPACE.

(7) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, THE GOVERNING BODY OF A MUNICIPALITY SHALL NOT CONVEY TITLE TO THE REAL PROPERTY SURVEYED AS A LOT IN A CEMETERY FOR USE AS A BURIAL SPACE. THE GOVERNING BODY OF A MUNICIPALITY MAY GRANT INTERMENT RIGHTS TO A BURIAL SPACE IN A CEMETERY.";

strike lines 20 through 27.

Renumber succeeding section accordingly.

Judiciary After consideration on the merits, the Committee recommends that **HB06-1066** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary After consideration on the merits, the Committee recommends that **HB06-1076** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 5, line 21, strike "AND";

line 26, strike "HOSPITAL." and substitute "HOSPITAL; AND

(R) A LICENSED DENTIST GOVERNED BY THE PROVISIONS OF ARTICLE 35 OF TITLE 12, C.R.S., PERFORMING THE PRACTICE OF DENTISTRY, AS DEFINED IN SECTION 12-35-103 (5), C.R.S., AND AS DESCRIBED IN SECTION 12-35-113, C.R.S., AS A VOLUNTEER FOR A NONPROFIT ORGANIZATION, A NONPROFIT CORPORATION, OR A HOSPITAL."

Judiciary After consideration on the merits, the Committee recommends that **HB06-1334** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

March 22, 2006
Madame President:

Speaker Romanoff has announced the following changes in sponsorship:
Representative McGihon will replace Representative Boyd as House sponsor for SB-035
Representative Marshall will replace Representative Boyd as House sponsor for SB-036
Representative Green will replace Representative Boyd as House sponsor for SB-044

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1377.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1019, amended as printed in House Journal, March 21, page 842.
HB06-1065, amended as printed in House Journal, March 21, page 843.
HB06-1294, amended as printed in House Journal, March 21, page 843.
HB06-1297, amended as printed in House Journal, March 21, page 843.
HB06-1317, amended as printed in House Journal, March 21, page 843.
HB06-1325, amended as printed in House Journal, March 21, page 843.
HB06-1337, amended as printed in House Journal, March 21, page 843.

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CONSIDERATION OF RESOLUTIONS

SR06-007 by Senator(s) Gordon, Fitz-Gerald, McElhany; --Concerning changes to the membership of certain Senate Committees of Reference.

Laid over until Friday, March 24, retaining its place on the calendar.

HJR06-1013 by Representative(s) Kerr, Carroll M., Frangas, Gallegos, Knoedler, Liston, Massey, Solano, Stafford; also Senator(s) Williams, Evans, Shaffer, Teck--Concerning consumer disclosure of the terms and conditions to borrow money.

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

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

* Vacancy in Senate District 21.

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

CONSIDERATION OF MEMORIALS

SJM06-002 by Senator(s) May R.; also Representative(s) Garcia--Concerning recognition of NASA's Space Exploration Vision.

Amendment No. 1(L.001), by Senator May R.

Amend printed joint memorial, page 1, line 7, strike "fourth" and substitute "third".

On motion of Senator May, the memorial, as amended, was read at length and **adopted** by the following roll call vote:

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

* Vacancy in Senate District 21.

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

CONSIDERATION OF RESOLUTIONS

HJR06-1017 by Representative(s) Penry, Schultheis, Buescher, Crane, Kerr, Knoedler, Liston, Lundberg, Stafford, White; also Senator(s) Kester--Concerning urging the United States government to engage the government of Mexico to abate the flow of methamphetamine from Mexico into the United States.

Amendment No. 1(L.001), by Senator Teck.

Amend engrossed joint resolution, page 3, line 15, after "Association," insert "the Council of State Governments Western Region, the Border Legislative Conference,".

On motion of Senator Kester, the resolution, as amended, was adopted by the following roll call vote:

Table with 8 columns: YES, NO, EXCUSED, ABSENT and their respective counts (33, 0, 1, 0). Rows list names of senators and their votes (Y, N, E).

* Vacancy in Senate District 21.

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

SENATE SERVICES REPORT

- Correctly Printed: SJR06-017.
Correctly Engrossed: SB06-197; SCR06-003; SJR06-016, and 017.
Correctly Reengrossed: SB06-047, 120, 172, 199, and 208.
Correctly Revised: HB06-1071, 1088, 1122, 1137, 1190, and 1237.
Correctly Rerevised: HB06-1041, 1243, 1295, 1341, 1368, 1369, 1370, 1371, 1372, 1373, and 1374.

COMMITTEE OF REFERENCE REPORTS

Finance After consideration on the merits, the Committee recommends that HB06-1018 be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that HB06-1354 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 2, strike "(4) (a)," and substitute "(4),".

Page 3, after line 5, insert the following:

"(b) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2000, in the case of a JOINT TENANCY, TENANCY IN COMMON, partnership, S corporation, or other similar pass-through entity OR OWNERSHIP GROUP that donates a conservation easement as an entity OR

GROUP, the amount of the credit allowed pursuant to subsection (2) of this section shall be allocated to the entity's OWNERS, partners, members, or shareholders in proportion to the OWNERS', partners', members', or shareholders' distributive shares of income OR OWNERSHIP PERCENTAGE from such entity OR GROUP. FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2000, BUT PRIOR TO JANUARY 1, 2003, THE TOTAL AGGREGATE AMOUNT OF THE CREDIT ALLOCATED TO SUCH OWNERS, PARTNERS, MEMBERS, AND SHAREHOLDERS SHALL NOT EXCEED ONE HUNDRED THOUSAND DOLLARS, AND, IF ANY REFUND IS CLAIMED PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (b) OF SUBSECTION (5) OF THIS SECTION, THE AGGREGATE AMOUNT OF THE REFUND AND THE CREDIT CLAIMED BY SUCH PARTNERS, MEMBERS, AND SHAREHOLDERS SHALL NOT EXCEED TWENTY THOUSAND DOLLARS FOR THAT INCOME TAX YEAR. FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2003, BUT PRIOR TO JANUARY 1, 2007, the total aggregate amount of the credit allocated to such OWNERS, partners, members, and shareholders shall not exceed two hundred sixty thousand dollars, and, if any refund is claimed pursuant to subparagraph (I) of paragraph (b) of subsection (5) of this section, the aggregate amount of the refund and the credit claimed by such OWNERS, partners, members, and shareholders shall not exceed fifty thousand dollars for that income tax year. FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2007, THE TOTAL AGGREGATE AMOUNT OF THE CREDIT ALLOCATED TO SUCH OWNERS, PARTNERS, MEMBERS, AND SHAREHOLDERS SHALL NOT EXCEED THREE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS, AND, IF ANY REFUND IS CLAIMED PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (b) OF SUBSECTION 5 OF THIS SECTION, THE AGGREGATE AMOUNT OF THE REFUND AND THE CREDIT CLAIMED BY SUCH OWNERS, PARTNERS, MEMBERS, AND SHAREHOLDERS SHALL NOT EXCEED FIFTY THOUSAND DOLLARS FOR THAT INCOME TAX YEAR."

Finance

After consideration on the merits, the Committee recommends that **HB06-1339** be referred to the Committee on Appropriations 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 March 22 was laid over until Thursday, March 23, 2006, retaining its place on the calendar.

Consideration of Memorials: SJM06-001.
 Consideration of House Amendments to Senate Bills: SB06-062, SB06-057, SB06-118, SB06-097, SB06-121, SB06-134, SB06-055, SB06-014, SB06-145, SB06-102.
 Reconsideration of Bills: HB06-1051.
 Conference Committee to Report: HB06-1159.

On motion of Senator Gordon, the Senate adjourned until 9:00 a.m., Thursday, March 23, 2006.

Approved:

Joan Fitz-Gerald
 President of the Senate

Attest:

Karen Goldman
 Secretary of the Senate

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