

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

94th Legislative Day Friday, April 14, 2006

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Prayer	By Senator Wiens.	10
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Pledge	By Senator Traylor.	12
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Call to Order	By the President at 9:00 a.m.	14
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Roll Call	Present--31.	17
	Absent--2; Taylor, Tupa.	18
	Excused--2; Entz, Kester.	19
	Present later--Taylor, Tupa.	20
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		22
Quorum	The President announced a quorum present.	23
		24
Reading of Journal	On motion of Senator Windels, reading of the Journal of April 13, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.	25
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COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that HB06-1355 be referred to the Committee of the Whole with favorable recommendation.	31 32 33 34 35
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**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
 ON HB06-1288**

**THIS REPORT ADOPTS THE
 REENGROSSED BILL**

To the President of the Senate and the
 Speaker of the House of Representatives:

Your first conference committee appointed on HB06-1288,
 concerning the election of nonpartisan school directors, has met and
 reports that it has agreed upon the following:

That the Senate recede from its amendments made to the bill and
 that the reengrossed bill be adopted without change.

Respectfully submitted,

House Committee:
 (signed)
 Representative Todd, Chair
 Representative Massey
 Representative Merrifield

Senate Committee:
 (signed)
 Senator Windels, Chair
 Senator Bacon
 Senator Spence

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MESSAGE FROM THE HOUSE

April 13, 2006

Madame President:

The House has voted to concur in the Senate amendments to HB06-1193, 1338, 1275, and has repassed the bills as so amended.

The House has adopted and transmits herewith HJR06-1016, and amended as printed in House Journal, March 7, page 658.

The House has adopted and returns herewith SJR06-027.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1314, amended as printed in House Journal, April 12, pages 1157-1158. HB06-1058, amended as printed in House Journal, April 12, page 1157. HB06-1306, amended as printed in House Journal, April 12, page 1157. HB06-1024, amended as printed in House Journal, April 12, page 1158. HB06-1126, amended as printed in House Journal, April 12, page 1158.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB06-090, amended as printed in House Journal, April 11, pages 1122-1123, and page 1156, and amended on Third Reading as printed in House Journal, April 13.

MESSAGE FROM THE REVISOR OF STATUTES

April 13, 2006

We herewith transmit:

Without comment, as amended, HB06-1024, 1058, 1126, 1306, and 1314. Without comment, as amended, SB06-090.

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:

SB06-044 by Senator(s) Hagedorn, Shaffer; also Representative(s) Green-Concerning the provision of health care services to specified low-income adults, and making an appropriation therefor.

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

Table with 4 columns: YES (30), NO (3), EXCUSED (2), ABSENT (0). Rows list names of members and their votes for SB06-044.

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, Groff, Isgar, Keller, Mitchell, Tochtrop, Tupa, Veiga, Williams and Windels.

SB06-212 by Senator(s) Hagedorn; also Representative(s) McGihon, Boyd--Concerning the authority of an unsupervised dental hygienist to arrange for the provision of dental services, and, in connection therewith, allowing the proprietor of a dental hygiene clinic to employ or contract with a licensed dentist.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	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	E	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	E	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**.

HB06-1325 by Representative(s) McFadyen; also Senator(s) Takis--Concerning electric transmission for the state of Colorado, and, in connection therewith, creating an interim task force to study Colorado's need to ensure a reliable electricity infrastructure, and making an appropriation.

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

YES	31	NO	2	EXCUSED	2	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	E	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	E	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	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: Tochtrop and Williams.

SB06-170 by Senator(s) Gordon; also Representative(s) Buescher--Concerning the conduct of elections.

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

Third Reading Amendment No. 1(L.019), by Senator McElhany.

Amend engrossed bill, page 14, after line 12, insert the following:

"**SECTION 22.** 1-13-714, Colorado Revised Statutes, is amended to read:

1-13-714. Electioneering - removing and return of ballot. No person shall do any electioneering on the day of any election within any polling place or in any public street or room or in any public manner within one hundred feet of any building in which a polling place is located, as publicly posted by the designated election official. As used in this section, the term "electioneering" includes campaigning for or against any candidate who is on the ballot or any ballot issue or ballot question that is on the ballot. "Electioneering" also includes soliciting signatures for a candidate petition, a recall petition, or a petition to place a ballot issue or ballot question on a subsequent ballot. "ELECTIONEERING" SHALL NOT INCLUDE A RESPECTFUL DISPLAY OF THE AMERICAN FLAG. No person shall remove any official ballot from the polling place before the closing of the polls. Any person who violates any provision of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111."

Renumber succeeding sections accordingly.

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

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

Third Reading Amendment No. 2(L.021), by Senator Gordon.

Amend engrossed bill, page 3, after line 23, insert the following:

"SECTION 3. 1-2-501 (1) (b.5) (I) (D), Colorado Revised Statutes, is amended to read:

1-2-501. Form for mail and agency registration - procedures for registration by mail for first-time electors - additional identifying information to be provided by first-time registrants. (1) The secretary of state, in consultation with the federal election assistance commission, shall develop an application form that may be used for mail voter registration, voter registration at voter registration agencies, and voter change of address. The form developed shall:

(b.5) (I) Include:

(D) A statement informing the applicant that, if the form is submitted by mail and the applicant ~~is registering to vote for the first time in the state of Colorado~~ HAS NOT PREVIOUSLY VOTED IN THE COUNTY, the applicant shall submit WITH THE REGISTRATION FORM a copy of identification ~~within the meaning of~~ AS DEFINED IN section 1-1-104 (19.5), THE APPLICANT'S DRIVER'S LICENSE NUMBER, or the last four digits of the applicant's social security number, ~~with the mail-in registration form to avoid the additional identification requirements imposed upon applicants voting for the first time imposed by sections 1-7.5-107 and 1-8-113.~~ OTHERWISE THE APPLICANT WILL BE REQUIRED TO SUBMIT A COPY OF IDENTIFICATION WITH THE APPLICANT'S MAIL BALLOT OR ABSENTEE BALLOT; AND";".

Page 4, line 3, strike "STATE" and substitute "COUNTY".

Page 14, line 19, strike "AND FROM";

strike line 20 and substitute the following:

"to the department of state";

line 21, strike "SECTION 1-5-505.5, C.R.S.,".

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

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

YES	31	NO	2	EXCUSED	2	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	E	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	E	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	N	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: Tupa.

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 House Amendments to Senate Bills -- SB06-068, SB06-051, SB06-002.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB06-068 by Senator(s) Sandoval; also Representative(s) Frangas--Concerning additional authority of a local licensing authority over alcohol beverage licenses.

Senator Sandoval moved that the Senate concur in House amendments to **SB06-068**, as printed in House Journal, April 6, page 1084. The motion was **passed** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	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	E	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	E	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	24	NO	9	EXCUSED	2	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	N
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	E	Keller	Y	Spence	N	Wiens	N
Evans	Y	Kester	E	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	N	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: Tupa.

SB06-051 by Senator(s) Tupa; also Representative(s) Weissmann--Concerning benefits that may be accepted by certain public officials, and, in connection therewith, prohibiting certain public officials from accepting monetary gifts.

Senator Tupa moved that the Senate not concur in House amendments to **SB06-051**, as printed in House Journal, April 6, pages 1083-1084, and that a Conference Committee be appointed.

The motion was **lost** by the following roll call vote:

YES	13	NO	20	EXCUSED	2	ABSENT	0
Bacon	Y	Hagedorn	N	Mitchell	N	Tochtrop	N
Boyd	Y	Isgar	N	Owen	N	Traylor	N
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	E	Keller	Y	Spence	N	Wiens	N
Evans	N	Kester	E	Takis	N	Williams	Y
Gordon	Y	Lamborn	N	Tapia	N	Windels	Y
Groff	Y	May R.	N	Taylor	N	President	Y
Grossman	Y	McElhany	N	Teck	N		

Laid over until Monday, April 17, retaining its place on the calendar.

SB06-002 by Senator(s) Shaffer; also Representative(s) Pommer--Concerning mandatory disclosure in connection with the purchase of residential real property of whether the property has been used as a methamphetamine laboratory.

Senator Shaffer moved that the Senate concur in House amendments to **SB06-002**, as printed in House Journal, April 11, pages 1124-1125. The motion was **passed** by the following roll call vote:

YES	26	NO	7	EXCUSED	2	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	N	Shaffer	Y	Veiga	Y
Entz	E	Keller	Y	Spence	N	Wiens	N
Evans	N	Kester	E	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	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	24	NO	9	EXCUSED	2	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	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	E	Keller	Y	Spence	N	Wiens	N
Evans	Y	Kester	E	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	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.

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 Conference Committee Reports.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB06-145 by Senator(s) Shaffer, Hagedorn; also Representative(s) McCluskey, Butcher--Concerning the authority of a local government to impose a fee on certain medical providers for purposes of obtaining federal financial participation under medicaid for unreimbursed medicaid costs.

Senator Shaffer moved for the adoption of the First Report of the First Conference Committee on **SB06-145**, as printed in Senate Journal, April 4, page 747. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	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	E	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	E	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	25	NO	8	EXCUSED	2	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	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	E	Keller	Y	Spence	Y	Wiens	N
Evans	N	Kester	E	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	N	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.

HB06-1107 by Representative(s) Benefield, Cloer, Green, Larson, Lindstrom, McFadyen, Solano, Sullivan, Vigil; also Senator(s) Shaffer--Concerning the requirements pertaining to the issuance of instruction permits to minors.

Senator Shaffer moved for the adoption of the First Report of the First Conference Committee on **HB06-1107**, as printed in Senate Journal, April 12, pages 823-826. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	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	E	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	E	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	33	NO	0	EXCUSED	2	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	E	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	E	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: May R. and Teck.

HB06-1273 by Representative(s) Liston; also Senator(s) Traylor--Concerning the right of final disposition of the remains of a decedent.

Senator Traylor moved for the adoption of the First Report of the First Conference Committee on **HB06-1273**, as printed in Senate Journal, April 13, page 830. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	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	E	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	E	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	33	NO	0	EXCUSED	2	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	E	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	E	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**.

HB06-1075 by Representative(s) Todd; also Senator(s) Williams--Concerning the sale of surplus state property.

Senator Williams moved for the adoption of the First Report of the First Conference Committee on **HB06-1075**, as printed in Senate Journal, April 13, page 830. The motion was **adopted** by the following roll call vote:

YES	20	NO	13	EXCUSED	2	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	N	Owen	Y	Traylor	N
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	E	Keller	Y	Spence	N	Wiens	Y
Evans	Y	Kester	E	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	N
Groff	Y	May R.	Y	Taylor	N	President	N
Grossman	Y	McElhany	N	Teck	N		

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

YES	22	NO	11	EXCUSED	2	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	Y
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	E	Keller	Y	Spence	Y	Wiens	N
Evans	Y	Kester	E	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	N	President	N
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**.

HB06-1021 by Representative(s) Benefield; also Senator(s) Tupa--Concerning physical education teachers employed by school districts.

Senator Tupa moved for the adoption of the First Report of the First Conference Committee on **HB06-1021**, as printed in Senate Journal, April 13, pages 849-850. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	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	E	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	E	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	20	NO	13	EXCUSED	2	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	N
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	E	Keller	Y	Spence	N	Wiens	N
Evans	N	Kester	E	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	Y	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**.

COMMITTEE OF REFERENCE REPORTS

Health &
Human
Services

After consideration on the merits, the Committee recommends that **SB06-213** 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 line 4 and substitute the following:

"10-16-704. Network adequacy - legislative declaration.

(3) (a) (I) IN 1997, THE GENERAL ASSEMBLY ENACTED THIS PART 7 WITH THE EXPRESS INTENT TO INCORPORATE CONSUMER PROTECTIONS INTO THE CREATION AND MAINTENANCE OF PROVIDER NETWORKS AND TO ESTABLISH STANDARDS TO ASSURE THE ADEQUACY, ACCESSIBILITY, AND QUALITY OF HEALTH CARE SERVICES OFFERED UNDER A MANAGED CARE PLAN.

(II) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT THERE ARE SITUATIONS IN WHICH INSURED CONSUMERS RECEIVE HEALTH CARE SERVICES, INCLUDING PROCEDURES APPROVED BY THEIR INSURANCE CARRIER, IN A NETWORK FACILITY, WITH A PRIMARY PROVIDER THAT IS A NETWORK PROVIDER, BUT IN WHICH OTHER HEALTH CARE PROFESSIONALS ASSISTING WITH SUCH PROCEDURES MAY NOT BE IN-NETWORK PROVIDERS. IN SUCH SITUATIONS, THE CONSUMER IS NOT AWARE THAT THE ASSISTING PROVIDERS ARE OUT-OF-NETWORK PROVIDERS. FURTHER, THE CONSUMER MAY HAVE LITTLE OR NO DIRECT CONTACT WITH THE ASSISTING HEALTH CARE PROFESSIONALS. THE DIVISION OF INSURANCE HAS INTERPRETED THE NETWORK ADEQUACY PROVISIONS IN THIS SECTION, ALONG WITH THE PROVISIONS RELATED TO RELATIONSHIPS BETWEEN AN INSURER AND A HEALTH CARE PROVIDER IN SECTION 10-16-705 TO HOLD THE CONSUMER HARMLESS FOR ADDITIONAL CHARGES FROM OUT-OF-NETWORK PROVIDERS FOR CARE RENDERED IN A NETWORK FACILITY. THE DIVISION OF INSURANCE'S INTERPRETATION OF THESE STATUTES WAS CHALLENGED BY AN INSURER AND INVALIDATED BY A DIVISION OF THE COLORADO COURT OF APPEALS IN PACIFIC LIFE & ANNUITY CO. V. COLORADO DIV. OF INS., NO 04CA216 (SLIP OP.) (FEB. 23, 2006).

(III) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT THE DIVISION OF INSURANCE HAS CORRECTLY INTERPRETED THE PROVISIONS OF THIS SECTION TO PROTECT THE INSURED FROM THE ADDITIONAL EXPENSE CHARGED BY AN ASSISTING PROVIDER WHO IS AN OUT-OF-NETWORK PROVIDER, AND HAS PROPERLY REQUIRED INSURERS TO HOLD THE CONSUMER HARMLESS. HOWEVER, THE DIVISION OF INSURANCE DOES NOT HAVE REGULATORY AUTHORITY OVER ALL HEALTH PLANS. SOME CONSUMERS ARE ENROLLED IN SELF-FUNDED HEALTH INSURANCE PROGRAMS THAT ARE GOVERNED UNDER THE FEDERAL "EMPLOYEE RETIREMENT INCOME SECURITY ACT". THEREFORE, IN ORDER TO INCREASE CONSUMER AWARENESS FOR ALL CONSUMERS, THE GENERAL ASSEMBLY STRONGLY ENCOURAGES HEALTH CARE FACILITIES AND PROVIDERS TO PROVIDE ALL CONSUMERS ADEQUATE DISCLOSURE ABOUT WHETHER THE CONSUMER IS RECEIVING SERVICES FROM A NETWORK

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PROVIDER AND THE POTENTIAL IMPACT OF RECEIVING SERVICES FROM AN OUT-OF-NETWORK PROVIDER.

(IV) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT SOME CONSUMERS INTENTIONALLY USE OUT-OF-NETWORK PROVIDERS, WHICH IS THE CONSUMERS' PREROGATIVE UNDER CERTAIN HEALTH BENEFIT PLANS. WHEN CONSUMERS INTENTIONALLY USE AN OUT-OF-NETWORK PROVIDER, THE CONSUMER IS ONLY ENTITLED TO BENEFITS AT THE OUT-OF-NETWORK RATE AND MAY BE SUBJECT TO BALANCE BILLING BY THE OUT-OF-NETWORK PROVIDER. THEREFORE, CONSUMERS HAVE THE RESPONSIBILITY TO READ AND FOLLOW THE PROVISIONS OF THEIR INSURANCE CONTRACTS.

(V) THEREFORE, THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT THE PURPOSE OF SENATE BILL 06-213 IS TO CODIFY THE INTERPRETATION OF THE DIVISION OF INSURANCE THAT HOLDS CONSUMERS HARMLESS FOR CHARGES OVER AND ABOVE THE IN-NETWORK RATES FOR SERVICES RENDERED IN A NETWORK FACILITY.

(b) When a covered person".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB06-227** be referred to the Committee on State, Veterans, & Military Affairs with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB06-217** be referred to the Committee of the Whole with favorable recommendation.

Education

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

MEMBERS OF THE COLORADO COMMISSION ON HIGHER EDUCATION

for terms expiring July 1, 2009:

Richard L. Ramirez of Fort Collins, Colorado, to serve as a representative of the Fourth Congressional District and as a Democrat, appointed;

Edward A. Robinson of Greenwood Village, Colorado, to serve as a representative of the Sixth Congressional District and as a Democrat, appointed.

Education

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

MEMBERS OF THE BOARD OF TRUSTEES FOR MESA STATE COLLEGE

for terms expiring January 1, 2010:

Jane D. North of Englewood, Colorado, reappointed;

Michael F. Feeley of Lakewood, Colorado, appointed.

Education

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

MEMBERS OF THE BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE

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effective January 1, 2006 for a term expiring January 1, 2010:

Brian T. Bissell of Lakewood, Colorado, to serve as a Republican, appointed.

for a term expiring January 1, 2010:

Michael D. Pugh of Pueblo, Colorado, to serve as a Republican, reappointed.

Appropriations

After consideration on the merits, the Committee recommends that **SB06-128** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 6, after "**disability**", insert "**- fund**".

Page 4, strike lines 13 through 17, and substitute the following:

"(4) THERE IS HEREBY CREATED IN THE STATE TREASURY THE COORDINATED CARE FOR PEOPLE WITH DISABILITIES FUND, REFERRED TO IN THIS SECTION AS THE "FUND", THAT SHALL CONSIST OF MONEYS TRANSFERRED TO THE FUND PURSUANT TO SECTION 26-4-532 (7), ANY MONEYS THAT MAY BE APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY, AND ANY GIFTS, GRANTS, OR DONATIONS RECEIVED BY THE STATE DEPARTMENT FOR THE PURPOSE OF IMPLEMENTING THIS SECTION. THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THE PILOT PROGRAM. ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND. IF THIS SECTION IS REPEALED, PRIOR TO ITS REPEAL, ALL UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND SHALL BE TRANSFERRED TO THE GENERAL FUND.

SECTION 2. 26-4-532 (7), Colorado Revised Statutes, is amended to read:

26-4-532. Breast and cervical cancer prevention and treatment program - creation - legislative declaration - definitions - funds - repeal. (7) (a) There is hereby created in the state treasury the breast and cervical cancer prevention and treatment fund, referred to in this subsection (7) as the "fund". The fund shall consist of any moneys credited thereto pursuant to section 24-22-115 (1), C.R.S., any gifts, grants, and donations, and any moneys appropriated thereto by the general assembly. EXCEPT AS PROVIDED FOR IN PARAGRAPH (b) OF THIS SUBSECTION (7), all moneys credited to the fund and all interest and income earned on the moneys in the fund shall remain in the fund for the purposes set forth in this section. No moneys credited to the fund shall be transferred to or revert to the general fund of the state at the end of any fiscal year. The state department is encouraged to secure private gifts, grants, and donations to fund the state costs of the breast and cervical cancer prevention and treatment program.

(b) UNTIL SECTION 26-4-537 IS REPEALED, THE STATE TREASURER SHALL TRANSFER ANY INTEREST OR INCOME EARNED ON MONEYS IN THE FUND TO THE COORDINATED CARE FOR PEOPLE WITH DISABILITIES FUND, CREATED IN SECTION 26-4-537 (4)."

SECTION 3. Appropriation - adjustments to 2006 long bill. (1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing, executive director's office, for the fiscal year beginning July 1, 2006, shall be adjusted as follows:

(a) The appropriation for personal services is increased by forty-

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nine thousand six hundred fifty-six dollars (\$49,656) and 1.0 FTE. Of said sum, twenty-four thousand eight hundred twenty-eight dollars (\$24,828) shall be cash funds exempt from the coordinated care for people with disabilities fund created in section 26-4-537 (4), Colorado Revised Statutes, and twenty-four thousand eight hundred twenty-eight dollars (\$24,828) shall be from federal funds.

(b) The appropriation for operating expenses is increased by three thousand eight hundred forty-five dollars (\$3,845). Of said sum, one thousand nine hundred twenty-three dollars (\$1,923) shall be cash funds exempt from the coordinated care for people with disabilities fund created in section 26-4-537 (4), Colorado Revised Statutes, and one thousand nine hundred twenty-two dollars (\$1,922) shall be from federal funds.

(c) The appropriation for the Medicaid management information system is increased by seventy-three thousand two hundred seventy-nine dollars (\$73,279). Of said sum, eighteen thousand three hundred nineteen dollars (\$18,319) shall be cash funds exempt from the coordinated care for people with disabilities fund created in section 26-4-537 (4), Colorado Revised Statutes, and fifty-four thousand nine hundred sixty dollars (\$54,960) shall be from federal funds."

Renumber succeeding section accordingly.

Page 1, line 103, strike "PROGRAM." and substitute "PROGRAM, AND MAKING AN APPROPRIATION THEREFOR."

Appropriations

After consideration on the merits, the Committee recommends that **SB06-165** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 7, line 23, after the period, add "THE STATE DEPARTMENT MAY CONSIDER SETTING THE REIMBURSEMENT RATE ON A MONTHLY BASIS AS WELL AS ON A DAILY OR PER-VISIT BASIS."

Page 11, line 8, strike "AND";

line 9, strike "BOTH." and substitute "BOTH; AND";

after line 9, insert the following:

"(c) CHRONIC OBSTRUCTIVE PULMONARY DISEASE.";

line 21, after the last period, add "SUCH IDENTIFIED SAVINGS SHALL BE MADE AVAILABLE FOR USE IN PAYING FOR HOME- AND COMMUNITY-BASED SERVICES UNDER PART 6 OF THIS ARTICLE; COMMUNITY-BASED LONG-TERM CARE; AND HOME HEALTH SERVICES."

Page 12, after line 24, insert the following:

"SECTION 8. Appropriation - adjustments to 2006 long bill.

(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing for the fiscal year beginning July 1, 2006, shall be adjusted as follows:

(a) The appropriation to the executive director's office is increased by seventy-eight thousand forty-six dollars (\$78,046) and 1.0 FTE. Of said sum, thirty-four thousand twenty-three dollars (\$34,023) shall be from the general fund and forty-four thousand twenty-three dollars (\$44,023) shall be from federal funds.

(b) The appropriation for medical services premiums is increased by three hundred twenty-two thousand four hundred thirty-one dollars (\$322,431). Of said sum, one hundred sixty-one thousand two hundred sixteen dollars (\$161,216) shall be from the general fund and one hundred sixty-one thousand two hundred fifteen dollars (\$161,215) shall be from federal funds."

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	Renumber succeeding sections accordingly.	1
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	"Page 1, line 104, strike "EFFICIENCY." and substitute "EFFICIENCY, AND MAKING AN APPROPRIATION.".	3
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Appropriations	After consideration on the merits, the Committee recommends that SB06-004 be referred to the Committee of the Whole with favorable recommendation.	7
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Appropriations	After consideration on the merits, the Committee recommends that SCR06-001 be referred to the Committee of the Whole with favorable recommendation.	11
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Appropriations	After consideration on the merits, the Committee recommends that SJR06-015 be amended to the Senate for final action.	15
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	Amend printed bill, page 2, line 33, strike "study" and substitute "study, which has been fully funded by the Division of Child Care in the Colorado Department of Human Services,".	18
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Appropriations	After consideration on the merits, the Committee recommends that SB06-001 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	23
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	Amend the Health and Human Services Committee Report, dated April 8, 2006, page 1, strike line 15 and substitute the following:	27
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	"SECTION 4. Appropriation - adjustments to 2006 long bill.	30
	(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing, executive director's office, for the fiscal year beginning July 1, 2006, shall be adjusted as follows:	31
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	(a) The appropriation for personal services is increased by sixty-five thousand four dollars (\$65,004) and 1.7 FTE. Said sum shall be from the general fund and subject to the "(M)" notation as defined in the general appropriation act. In addition to said appropriation, the general assembly anticipates that, for the fiscal year beginning July 1, 2006, the department of health care policy and financing will receive the sum of twenty-seven thousand eighty-five dollars (\$27,085) in federal funds for the implementation of this act. Although these federal funds are not appropriated in this act, they are noted for the purpose of indicating the assumptions used relative to these funds.	36
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	(b) The appropriation for operating expenses is increased by five thousand eight hundred thirteen dollars (\$5,813). Said sum shall be from the general fund and subject to the "(M)" notation as defined in the general appropriation act. In addition to said appropriation, the general assembly anticipates that, for the fiscal year beginning July 1, 2006, the department of health care policy and financing will receive the sum of one thousand nine hundred thirty-eight dollars (\$1,938) in federal funds for the implementation of this act. Although these federal funds are not appropriated in this act, they are noted for the purpose of indicating the assumptions used relative to these funds.	47
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	SECTION 5. Effective date. This act shall take effect July 1,".	58
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	Page 2 of the Committee Report, line 1, strike "5." and substitute "6."	60
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	after line 4, insert the following:	62
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	"Amend printed bill, page 1, line 101, strike "DRUGS." and substitute "DRUGS, AND MAKING AN APPROPRIATION THEREFOR.".	64
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Appropriations

After consideration on the merits, the Committee recommends that **SB06-072** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Judiciary Committee Report, dated February 8, 2006, page 3, strike lines 18 through 25 and substitute the following:

"strike lines 18 through 24 and substitute the following:

"(f) ALL MONEYS COLLECTED PURSUANT TO SECTION 42-4-1402 (3) OR (4) SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME AS FOLLOWS:

(I) TEN PERCENT OF EACH FINE COLLECTED PURSUANT TO SECTION 42-4-1402 (3) OR (4) SHALL BE CREDITED TO THE DRIVER'S LICENSE ADMINISTRATIVE REVOCATION ACCOUNT IN THE HIGHWAY USERS TAX FUND CREATED IN SECTION 42-2-132 (4) (b);

(II) FORTY PERCENT OF EACH FINE COLLECTED PURSUANT TO SECTION 42-4-1402 (3) OR (4) SHALL BE CREDITED TO THE HIGHWAY USERS TAX FUND AND ALLOCATED PURSUANT TO 43-4-205 (5.5) (a), C.R.S.; AND

(III) FIFTY PERCENT OF EACH FINE COLLECTED PURSUANT TO SECTION 42-4-1402 (3) OR (4) SHALL BE CREDITED TO THE HIGHWAY SAFETY SIGN ACCOUNT IN THE";".

Appropriations

After consideration on the merits, the Committee recommends that **SB06-069** 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 2 through 8.

Page 3, strike lines 1 through 10.

Renumber succeeding sections accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **SB06-216** be postponed indefinitely.

Appropriations

After consideration on the merits, the Committee recommends that **SB06-189** be postponed indefinitely.

Appropriations

After consideration on the merits, the Committee recommends that **SB06-218** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, after line 26, insert the following:

SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the disabled telephone users cash fund created in section 4-17-104 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of human services, to the Colorado commission for the deaf and hard of hearing cash fund created in section 26-21-107, Colorado Revised Statutes, for the fiscal year beginning July 1, 2006, the sum of twenty-five thousand dollars (\$25,000) and said sum, or so much thereof as may be necessary, is further appropriated to the department of human services, Colorado commission for the deaf and hard of hearing, for contract services for legal interpreters."

Renumber succeeding section accordingly.

Page 1, line 102, strike "USERS" and substitute "USERS, AND MAKING AN APPROPRIATION THEREFOR."

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Appropriations

After consideration on the merits, the Committee recommends that **SB06-048** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, after line 22, insert the following:

"SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the dynamic modeling cash fund created in section 2-3-304.5 (7) (b), Colorado Revised Statutes, not otherwise appropriated, to the legislative department, for allocation to the legislative council staff, for the fiscal year beginning July 1, 2006, the sum of one hundred twenty thousand dollars (\$120,000), or so much thereof as may be necessary, for the implementation of this act. Said sum shall be cash funds exempt received from gifts, grants, and donations."

Renumber succeeding section accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **SB06-136** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, after line 6, insert the following:

"SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of higher education, for allocation to the nursing teacher loan forgiveness fund created in section 23-3.6-102, Colorado Revised Statutes, for the fiscal year beginning July 1, 2006, the sum of one hundred sixty-one thousand six hundred dollars (\$161,600), or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 102, strike "**PROGRAM.**" and substitute "**PROGRAM, AND MAKING AN APPROPRIATION THEREFOR.**"

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB06-1209

THIS REPORT ADOPTS THE
REENGROSSED BILL

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB06-1209, concerning the voluntary contribution designation benefiting the Colorado special olympics fund that appears on the state individual income tax return forms, and, in connection therewith, extending the period for the contribution designation, has met and reports that it has agreed upon the following:

That the Senate recede from its amendments made to the bill and that the reengrossed bill be adopted without change.

Respectfully submitted,

House Committee:
(signed)
Representative Witwer, Chair

Senate Committee:
(signed)
Senator Tupa, Chair

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Representative Coleman
Representative Frangas

Senator Mitchell
Senator Shaffer

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB06-1385

THIS REPORT AMENDS THE
REREVISED BILL

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB06-1385, concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2006, except as otherwise noted, has met and reports that it has agreed upon the following:

1. That the House accede to the Senate amendments to the bill, as said amendments appear in the rerevised bill, with the following changes:

Amend rerevised bill, page 36, line 13, in the ITEM & SUBTOTAL column, strike "166,750" and substitute "114,442";

line 14, in the ITEM & SUBTOTAL column, strike "4,221,167" and substitute "4,168,859" and, in the GENERAL FUND column, strike "4,221,167" and substitute "4,168,859".

Adjust affected totals accordingly.

Page 456, line 13, in the ITEM & SUBTOTAL column, strike "1,514,436" and substitute "1,558,639" and, in the GENERAL FUND column, strike "915,604" and substitute "959,807";

line 14, in the GENERAL FUND column, strike "(17.0 FTE)" and substitute "(18.0 FTE)";

line 15, in the ITEM & SUBTOTAL column, strike "89,872" and substitute "97,977" and, in the GENERAL FUND column, strike "48,752" and substitute "56,857".

Adjust affected totals accordingly.

Page 62, line 10, in the ITEM & SUBTOTAL column, strike "1,508,453" and substitute "1,308,453" and, in the GENERAL FUND column, strike "1,508,453" and substitute "1,308,453".

Adjust affected totals accordingly.

Page 147, line 15, in the ITEM & SUBTOTAL column, strike "9,035,902" and substitute "9,235,902" and, in the GENERAL FUND column, strike "9,035,902" and substitute "9,235,902".

Adjust affected totals accordingly.

Page 66, line 5, in the GENERAL FUND column, strike "2,389,041,259" and substitute "2,387,841,259" and, in the CASH FUNDS EXEMPT column, strike "379,562,897" and substitute "380,762,897".

Adjust affected totals accordingly.

Page 67, line 1, strike "\$306,465,782" and substitute "\$307,665,782".

Page 137, after line 6, insert the following:

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	ITEM & SUBTOTAL	GENERAL FUND	1
	\$	\$	2
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"Scholarships for Pre-collegiate Programs ^{39a}	800,000	800,000".	5
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Adjust affected totals accordingly. 8
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Page 147, line 15, in the ITEM & SUBTOTAL column, strike "9,035,902" and substitute "9,435,902" and, in the GENERAL FUND column, strike "9,035,902" and substitute "9,435,902". 10
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Adjust affected totals accordingly. 13
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Page 155, after line 7, insert the following: 15
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39a Department of Higher Education, Colorado Commission on Higher Education Financial Aid, Special Purpose, Scholarships for Pre-collegiate Programs -- It is the intent of the General Assembly that to receive a grant from the Scholarships for Pre-collegiate Programs a student must be a Colorado high school graduate eligible for resident tuition and have been accepted into an institution of higher education in Colorado. Further, the student must have been enrolled in and successfully completed an eligible pre-collegiate program of at least one year offered during the high school academic year. It is the intent of the General Assembly that the Colorado Commission on Higher Education or their designee will determine which pre-collegiate programs are eligible.". 17
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Page 70, after line 5, insert the following: 30
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	ITEM & SUBTOTAL	CASH FUNDS EXEMPT	32
	\$	\$	33
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"Family Literacy Education Fund	200,000	200,000 ^e	37
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Family Literacy Education Grant Program	200,000	200,000 ^j ".	40
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Adjust affected totals accordingly. 43
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Page 72, after line 15, insert the following: 45
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^j This amount shall be from the Family Literacy Education Fund created in Section 22-2-124 (8) (b), C.R.S.". 47
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Page 97, line 4, strike "**OFFICE**²⁰" and substitute "**OFFICE**^{20, 20a, 20b}". 50
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Page 126, after line 1, insert the following: 52
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20a Department of Health Care Policy and Financing, Executive Director's Office -- It is the intent of the General Assembly that the Department comply with the federal regulations that the Medicaid program be the payer of last resort to the fullest extent possible (42 CFR 433.138 and 42 CFR 433.139). If the State Auditor's report finds that the Department is deficient in collecting from third party payers, the Department is authorized to seek federal waiver authority to pay providers first and then seek reimbursement from the obligated third party payer. The Department is requested to submit a report to the Joint Budget Committee by November 1, 2006, on the effectiveness of its third party collections and how the Department plans to address any recommendations contained in the State Auditor's review of this issue. The Department's report is requested to include a cost benefit analysis of when it is in the state's interest to pursue third party recovery. 54
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20b Department of Health Care Policy and Financing, Executive Director's Office -- The Department is requested to provide a status report on the implementation schedules and anticipated FY 2006-07 fiscal impact for the following legislation: S.B. 04-177, H.B. 05-1015, H.B. 05-1066, H.B. 05-1131, and H.B. 05-1243. This report is requested to be submitted to the majority and minority leadership in each house of the General Assembly and to the Joint Budget Committee by no later than August 1, 2006.".

Page 134, line 11, strike "**Administration**^{36, 37, 38"} and substitute "**Administration**^{36, 37, 38, 38a"}.

Page 155, after line 4, insert the following:

38a Department of Higher Education, Colorado Commission on Higher Education, Administration -- The Department is requested to submit a report to the House and Senate Education Committees and the Joint Budget Committee by November 1, 2006, analyzing the impact of need based financial aid programs on the recruitment, retention, and academic performance of under-served students, and making recommendations for improvement.".

Page 159, line 14, in the ITEM & SUBTOTAL column, strike "4,395,243" and substitute "4,095,243".

Page 160, line 11, in the ITEM & SUBTOTAL column, strike "41,574,891" and substitute "41,274,891" and, in the GENERAL FUND column, strike "24,747,693(M)" and substitute "24,447,693(M)".

Page 161, line 10, in the ITEM & SUBTOTAL column, strike "4,228,546" and substitute "4,528,546" and, in the GENERAL FUND column, strike "1,380,732" and substitute "1,680,732".

Adjust affected totals accordingly.

Page 217, line 6, strike "the Department" and substitute "no State services will be provided for persons who are in the United States illegally or are otherwise ineligible under federal law to receive those benefits.";

strike line 7.

Page 207, line 6, strike "**Administration**^{78"} and substitute "**Administration**^{78, 78a"}.

Page 226, after line 16, insert the following:

78a Department of Human Services, Division of Youth Corrections, Administration -- It is the intent of the General Assembly that the Department provide a report to the Joint Budget Committee on November 1, 2006 which tracks and compares recidivism rates between those juveniles receiving drug and alcohol treatment and those not receiving treatment, while sentenced to commitment.".

Page 296, line 4, strike "Training" and substitute "Training^{95a"}.

Page 299, after line 12, insert the following:

95a Department of Local Affairs, Division of Local Government, Division of Emergency Management, Preparedness Grants and Training -- The Department is requested to submit a report by May 10, 2006, to the Local Government Committee of the House and of the Senate, detailing the resolution of the issues identified in the federal Homeland Security monitoring report dated January 10, 2006. The Department is further requested to submit reports by June 30, 2006, and January 30, 2007, detailing the grants awarded from federal homeland security funds.".

Page 504, line 11, strike "**OPERATIONS**" and substitute "**OPERATIONS**^{117a"}.

Page 507, after line 16, insert the following:

"117a Department of Transportation, Construction, Maintenance, and Operations -- Using funds appropriated to the Colorado Department of Transportation (CDOT), CDOT shall undertake and complete a process that authorizes a specific class of signage for agriculture-related tourism, as permitted under applicable Federal Highway Administration rules and regulations, on applicable state and federal roads and highways. Prior to finalizing such process, CDOT shall make a good faith effort to allow affected stakeholders to comment on the signage program. Until CDOT develops an agriculture tourism signage program, no funds shall be used by CDOT personnel or its contractors to remove signs in state or federal right of ways that promote agriculture - related tourism, if and only if the placement of such signs are specifically sanctioned by the board of county commissioners in whose jurisdiction the signage would be placed, subject to reasonable health, safety, and aesthetic regulations established by such boards of commissioners. For the purposes of this footnote, agriculture-related tourism shall include fruit and vegetable stands, shops or venues."

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Amend rerevised bill, page 66, line 5, in the GENERAL FUND column, strike "2,389,041,259" and substitute "2,388,078,681" and, in the CASH FUNDS EXEMPT column, strike "379,562,897" and substitute "380,525,475".

Adjust affected totals accordingly.

Page 67, line 1, strike "\$306,465,782" and substitute "\$307,428,360".

Page 71, line 7, in the ITEM & SUBTOTAL column, strike "20,000,000" and substitute "15,000,000", in the GENERAL FUND column, strike "10,000,000" and substitute "7,500,000", and, in the CASH FUNDS EXEMPT column, strike "10,000,000^e" and substitute "7,500,000^e";

line 10, in the ITEM & SUBTOTAL column, strike "20,437,602" and substitute "15,437,602", in the GENERAL FUND column, strike "10,000,000" and substitute "7,500,000", and, in the CASH FUNDS EXEMPT column, strike "10,437,602^h" and substitute "7,937,602^h".

Adjust affected totals accordingly.

Page 72, strike line 13 and substitute the following:

"^h Of this amount, \$7,500,000 shall be from the General Fund appropriation to the School Construction and Renovation Fund established in Section 22-43.7-103 (1), C.R.S., for FY 2006-07, and \$437,602 shall be from reserves in said fund."

Page 135, after line 14, insert the following:

	ITEM & SUBTOTAL	CASH FUNDS EXEMPT
	\$	\$
"Enrollment/Tuition and Stipend Contingency ^{38a}	20,000,000	20,000,000 ^d .

Page 136, after line 8, insert the following:

"^d This amount shall be from tuition and stipend revenue from the governing boards, in addition to what is appropriated to the governing boards. This spending authority may be transferred to the governing boards."

Page 155, after line 4, insert the following:

"38a Department of Higher Education, Colorado Commission on Higher Education, Special Purpose, Enrollment/Tuition and Stipend Contingency -- The Colorado Commission on Higher Education may transfer spending authority from this line item to the Governing Boards in the event that tuition or stipend revenues increase beyond appropriated levels. The spending authority for this line item shall be in addition to the funds appropriated directly to the Governing Boards. The Colorado Commission on Higher Education shall not authorize transfers of spending authority from this line item to support tuition or fee increases.".

Page 138, line 12, strike "124,302" and substitute "123,524";

line 15, in the ITEM & SUBTOTAL column, strike "320,699,160" and substitute "318,691,920".

Page 139, line 6, in the ITEM & SUBTOTAL column, strike "321,473,160" and substitute "319,465,920" and, in the GENERAL FUND column, strike "86,073,160" and substitute "84,065,920";

line 11, in the ITEM & SUBTOTAL column, strike "256,628,884" and substitute "258,636,124" and, in the GENERAL FUND column, strike "256,628,884" and substitute "258,636,124".

Page 140, line 14, strike "\$11,243,640" and substitute "\$11,586,780";

line 15, strike "\$9,388,996" and substitute "\$9,045,856".

Page 145, line 13, in the ITEM & SUBTOTAL column, strike "240,562,510" and substitute "240,004,864" and, in the CASH FUNDS EXEMPT column, strike "240,562,510^a" and substitute "240,004,864^a".

Page 146, line 1, strike "\$111,487,656" and substitute "\$110,930,010";

line 3, strike "\$105,498,780" and substitute "\$103,148,400" and, strike "\$16,499,775" and substitute "\$18,850,155".

Adjust affected totals accordingly.

Page 606, line 10, in the ITEM & SUBTOTAL column, strike "44,940,688" and substitute "44,285,488";

line 14, in the ITEM & SUBTOTAL column, strike "52,940,688" and substitute "52,285,488" and, in the GENERAL FUND column, strike "52,940,688" and substitute "52,285,488".

Page 607, line 2, in the TOTAL column, strike "80,749,184" and substitute "80,093,984";

line 7, strike "114,163" and substitute "113,269";

line 11, in the ITEM & SUBTOTAL column, strike "273,991,200" and substitute "271,845,600".

Page 608, line 9, in the ITEM & SUBTOTAL column, strike "274,711,200" and substitute "272,565,600" and, in the GENERAL FUND column, strike "21,311,200" and substitute "19,165,600";

line 13, in the ITEM & SUBTOTAL column, strike "220,735,142" and substitute "223,535,942" and, in the GENERAL FUND column, strike "220,735,142" and substitute "223,535,942".

Page 609, line 1, strike "495,446,342" and substitute "496,101,542";

line 15, in the ITEM & SUBTOTAL column, strike "36,044,947" and substitute "36,220,147" and, in the CASH FUNDS EXEMPT column, strike "36,044,947^a" and substitute "36,220,147^a".

Page 610, line 3, strike "\$17,077,495(T)" and substitute "17,252,695(T)";

line 5, strike "\$9,708,000" and substitute "\$9,770,400" and, strike "\$7,369,495" and substitute "\$7,482,295".

Page 615, line 6, in the ITEM & SUBTOTAL column, strike "220,777,195" and substitute "221,257,195" and, in the CASH FUNDS EXEMPT column, strike "220,777,195^a" and substitute "221,257,195^a";

line 9, strike "\$104,708,415(T)" and substitute "\$105,188,415(T)";

line 11, strike "\$81,388,800" and substitute "\$79,180,800" and, strike "\$23,319,615" and substitute "\$26,007,615";

line 14, strike "1,415,640,770" and substitute "1,416,295,970".

Page 616, line 3, in the TOTAL column, strike "\$2,105,995,397" and substitute "\$2,106,650,597" and, in the CASH FUNDS EXEMPT column, strike "\$1,467,781,793^a" and substitute "\$1,468,436,993^a";

line 5, strike "\$538,640,203" and substitute "\$539,295,403".

Page 157, line 13, strike "each" and substitute "no";

strike lines 14 through 16 and substitute the following:

"board increase the tuition credit hour rate for resident undergraduate students more than 2.5 percent.";

line 16, strike "enrollment changes.".

Page 158, line 1, strike everything after the period;

strike lines 2 and 3.

Page 535, after line 2, insert the following:

	TOTAL	CASH FUNDS EXEMPT
	\$	\$
"(6) COLORADO STATE UNIVERSITY AT FORT COLLINS		
(A) Capital Construction		
Linear Accelerator		
Purchase	3,000,000	3,000,000 ^a

^a This amount shall be from exempt institutional sources.".

Adjust affected totals accordingly.

Renumber succeeding subsections accordingly.

Page 539, after line 15, insert the following:

	ITEM & SUBTOTAL	CASH FUNDS EXEMPT
	\$	\$
"Fitzsimons, Infrastructure 10	1,282,093	1,282,093 ^b
Fitzsimons, PASCAL II Addition	5,695,269	5,695,269 ^b .

Adjust affected totals accordingly.

Page 540, line 7, strike "This amount" and substitute "These amounts".

Page 553, line 9, in the ITEM & SUBTOTAL column, insert "3,256,806" and, in the TOTAL column, strike "3,256,806";

after line 9, insert the following:

	ITEM & SUBTOTAL	TOTAL	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$
"(2) CAPITAL CONSTRUCTION				
New Field Maintenance				
Shop, Grand Junction	5,305,000		658,000 ^a	4,647,000
		8,561,806		

^a This amount shall be from the Real Estate Proceeds Fund."

Adjust affected totals accordingly.

Page 653, after "(6) (A)," insert "(6) (B),".

Page 658, after line 14, insert the following:

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Page 652, line 2, strike "SIXTEEN MILLION NINETY-TWO" and substitute "FORTY-TWO MILLION NINETY-TWO THOUSAND FOUR HUNDRED NINE DOLLARS (\$42,092,409).";

strike line 3.

Page 39, line 3, in the ITEM & SUBTOTAL column, strike "55,352" and substitute "57,102";

line 6, in the ITEM & SUBTOTAL column, strike "5,956,354" and substitute "5,958,104" and, in the GENERAL FUND column, strike "5,956,354" and substitute "5,958,104".

Adjust affect totals accordingly.

Page 74, line 14, in the ITEM & SUBTOTAL column, strike "8,494,355" and substitute "8,266,658";

line 15, in the ITEM & SUBTOTAL column, strike "(143.9 FTE)" and substitute "(141.3 FTE)".

Page 75, line 2, in the ITEM & SUBTOTAL column, strike "1,264,620" and substitute "1,253,716";

line 3, in the ITEM & SUBTOTAL column, strike "(7.8 FTE)" and substitute "(10.0 FTE)".

Page 76, line 6, in the ITEM & SUBTOTAL column, strike "11,085,739" and substitute "10,847,138" and, in the CASH FUNDS EXEMPT column, strike "1,896,619(T)^a" and substitute "1,658,018(T)^a";

line 8, strike "\$392,209" and substitute "\$153,608".

Page 77, line 7, in the ITEM & SUBTOTAL column, strike "1,007,791" and substitute "1,246,392";

line 8, in the ITEM & SUBTOTAL column, strike "(5.5 FTE)" and substitute "(5.9 FTE)";

line 9, in the ITEM & SUBTOTAL column, strike "1,361,791" and substitute "1,600,392" and, in the CASH FUNDS EXEMPT column, strike "1,276,791^b" and substitute "1,515,392^b";

line 12, strike "\$1,007,791(T)" and substitute "\$1,246,392(T)".

Page 85, line 9, strike "the Workforce Coordinating";

line 10, strike "Council,".

Page 89, line 2, in the CASH FUNDS column, strike "2,300,000^e" and substitute "2,300,000^f" and, in the CASH FUNDS EXEMPT column, strike "50,000^f" and substitute "50,000^e".

Page 90, line 7, strike "grants, donations and reserves in".

Page 99, strike lines 7 through 12.

Adjust affected totals and (T) notation totals accordingly.

Page 105, strike lines 6 and 7.

Page 126, strike lines 16 and 17.

Page 127, strike lines 1 through 3.

Page 107, line 12, strike "\$11,661.05" and substitute "\$11,661.30" and, in the ITEM & SUBTOTAL column, strike "564,942,719" and substitute "564,954,836".

Page 109, line 7, in the TOTAL column, strike "2,108,576,605" and substitute "2,108,588,722", in the GENERAL FUND column, strike

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"739,495,976(M)" and substitute "739,372,438(M)", in the CASH FUNDS EXEMPT column, strike "55,491,583^b" and substitute "55,563,806^b", and, in the FEDERAL FUNDS column, strike "1,057,412,534" and substitute "1,057,475,966".

Adjust affected totals accordingly.

Page 110, line 1, strike "\$239,612" and substitute "\$311,835".

Page 167, line 8, in the ITEM & SUBTOTAL column, strike "796,361" and substitute "802,661";

line 9, in the ITEM & SUBTOTAL column, strike "2,760,212" and substitute "2,935,212";

line 13, in the ITEM & SUBTOTAL column, strike "36,404,684" and substitute "36,585,984", in the GENERAL FUND column, strike "19,926,869(M)" and substitute "19,965,486(M)", and, in the FEDERAL FUNDS column, strike "4,124,886^c" and substitute "4,267,569^c".

Adjust affected totals accordingly.

Page 168, line 6, strike "\$702,817" and substitute "\$845,500".

Page 197, line 15, in the ITEM & SUBTOTAL column, strike "23,641,136" and substitute "23,459,836", in the GENERAL FUND column, strike "5,028,662(M)" and substitute "4,990,045(M)", and, in the FEDERAL FUNDS column, strike "18,612,474^a" and substitute "18,469,791^a".

Adjust affected totals accordingly.

Page 628, line 13, strike "THREE HUNDRED THOUSAND DOLLARS (\$300,000)" and substitute "ONE MILLION FOUR HUNDRED EIGHT THOUSAND FOUR HUNDRED FIFTY-ONE DOLLARS (\$1,408,451)".

Page 310, line 13, in the CASH FUNDS column, strike "275,169^b" and substitute "289,082^b" and, in the CASH FUNDS EXEMPT column, strike "1,368,383^c" and substitute "1,354,470^c".

Page 312, line 9, strike "\$3,003,328" and substitute "\$3,017,241".

Adjust affected totals accordingly.

Page 354, line 5, in the CASH FUNDS column, insert "409,082(T)^a" and, in the CASH FUNDS EXEMPT column, strike "2,845,628^a" and substitute "2,436,546^b";

line 7, in the CASH FUNDS column, insert "142,176(T)^a" and, in the CASH FUNDS EXEMPT column, strike "142,176(T)^b";

after line 9, insert "^a These amounts shall be from statewide indirect cost recoveries from the Department of Higher Education.";

line 10, strike "^a" and insert "^b";

line 11, strike "\$409,082(T) shall be from statewide indirect cost recoveries from the Department of Higher Education,";

strike line 14.

Page 356, line 11, in the GENERAL FUND column, strike "249,095" and substitute "248,748" and, in the CASH FUNDS column, insert "134,673(T)^a", and, in the CASH FUNDS EXEMPT column, strike "256,409(T)^a" and substitute "122,083(T)^b".

Adjust affected totals and (T) notations accordingly.

Page 356, after line 15, insert "^a This amount shall be from statewide indirect cost recoveries from the Department of Higher Education.".

Page 357, line 1, strike "^a Of this amount, \$134,326 shall be from

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statewide indirect cost recoveries from the Department of Higher Education and \$122,083" and substitute "b This amount".

Page 365, line 15, strike "It" and substitute "Department of Personnel and Administration, Central Services, Fleet Management Program and Motor Pool Services, Vehicle Replacement Lease, Purchase or Lease/Purchase -- It".

Page 519, line 7, strike "\$32,672,33)" and substitute "\$32,672,333)"; line 8, after 2004-05, insert "fiscal year".

Page 523, line 6, in the CASH FUNDS column, insert "295,621^a" and, in the CASH FUNDS EXEMPT column, strike "295,621^a";

line 9, in the CASH FUNDS column, insert "714,838^a" and, in the CASH FUNDS EXEMPT column, strike "714,838^a";

line 12, in the CASH FUNDS column, insert "1,099,222^a" and, in the CASH FUNDS EXEMPT column, strike "1,099,222^a".

Adjust affected totals accordingly.

Page 524, line 10, in the CASH FUNDS column, insert "173,355^a" and, in the CASH FUNDS EXEMPT column, strike "173,355^a";

line 13, in the CASH FUNDS column, insert "574,802^a" and, in the CASH FUNDS EXEMPT column, strike "574,802^a".

Page 525, line 4, in the CASH FUNDS column, insert "233,887^a" and, in the CASH FUNDS EXEMPT column, strike "233,887^a";

line 7, in the CASH FUNDS column, insert "108,275^a" and, in the CASH FUNDS EXEMPT column, strike "108,275^a".

Adjust affected totals accordingly.

Page 536, strike lines 6 and 7.

Adjust affected totals accordingly.

Page 537, after line 2, insert the following:

	ITEM & SUBTOTAL	CAPITAL CONSTRUCTION FUND EXEMPT
	\$	\$
"Ketchum Arts and Sciences Building Capital Renewal	930,531	930,531".

Adjust affected totals accordingly.

Page 546, line 6, in the ITEM & SUBTOTAL column, strike "4,050,000" and substitute "4,000,000", in the CASH FUNDS EXEMPT column, strike "1,350,000^a" and substitute "2,650,000^a", and, in the FEDERAL FUNDS column, strike "1,350,000".

Adjust affected totals accordingly.

Page 546, line 11, strike "This amount" and substitute "Of this amount, \$1,350,000" and, strike "Mexico." and substitute "Mexico, and \$1,300,000 shall be from gifts, grants, and donations.".

Page 547, line 7, strike "EXECUTIVE DIRECTOR'S OFFICE" and substitute "SERVICES FOR PEOPLE WITH DISABILITIES";

line 10, in the ITEM & SUBTOTAL column, insert "481,240" and, in the TOTAL column, strike "481,240";

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after line 10, insert the following:

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND EXEMPT
	\$	\$	\$
"Pueblo Regional Center, Repair/Replace Roofs	<u>334,810</u> 816,050		334,810
(B) Capital Construction			
Pueblo Regional Center, Group Home Remodeling	448,205		448,205
Colorado State Veterans Center at Homelake, Domiciliary Renovations	<u>288,200</u> 736,405		288,200
		1,552,455";	

line 12, strike "**OFFICE OF DIRECT SERVICES**" and substitute "**MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE SERVICES**".

Page 548, strike lines 1 through 3.

Page 549, line 12, in the ITEM & SUBTOTAL column, strike "483,290" and substitute "483,290";

after line 12, in the ITEM & SUBTOTAL column, insert "4,613,639";

strike lines 13 through 15 and substitute the following:

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND EXEMPT
	\$	\$	\$
"(B) Capital Construction			
Colorado Mental Health Institutes at Fort Logan and Pueblo, Equipment Replacement	807,977		807,977
		5,421,616".	

Page 550, strike lines 1 through 5;

line 7, strike "(2)" and substitute "(3)".

Page 552, line 6, in the CASH FUNDS column, strike "32,000,000^a" and, in the CASH FUNDS EXEMPT column, insert "32,000,000^a".

Adjust affected totals accordingly.

Page 653, line 15, in the CAPITAL CONSTRUCTION FUND EXEMPT column, insert "242,105" and, in the CASH FUNDS EXEMPT column, strike "242,105".

Page 673, line 12, in the TOTAL column, strike "\$236,706,400" and substitute "\$236,948,505" and, in the CAPITAL CONSTRUCTION FUND EXEMPT column, strike "\$52,598,884" and substitute "\$52,840,989".

Page 655, line 10, strike "Wagnar," and substitute "Wagar,".

Page 575, line 10, in the CASH FUNDS EXEMPT column, strike "4,359,902^a" and substitute "4,359,902^a";

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line 11, in the GENERAL FUND column, insert "11,562,409" and, in the CASH FUNDS EXEMPT column, strike "15,922,311^{aa}".

Respectfully submitted,

House Committee:
(signed)
Representative Plant, Chair
Representative Buescher
Representative Hall

Senate Committee:
(signed)
Senator Tapia, Chair
Senator Keller
Senator Owen

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB06-1385 by Representative(s) Plant, Buescher, Hall; also Senator(s) Tapia, Keller, Owen-- Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2006, except as otherwise noted.

Senator Tapia moved for the adoption of the First Report of the First Conference Committee on **HB06-1385**, as printed in Senate Journal, April 14, pages 876-898. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	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	E	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	E	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	25	NO	8	EXCUSED	2	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	N
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	Y	Shaffer	Y	Veiga	Y
Entz	E	Keller	Y	Spence	Y	Wiens	N
Evans	Y	Kester	E	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	N	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: Gordon.

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB06-046 by Senator(s) Tupa, Bacon, Windels, Williams; also Representative(s) Merrifield, Benefield, Pommer--Concerning the study of an education system ranging from pre-kindergarten through higher education, and, in connection therewith, creating a legislative oversight committee and special council.

Laid over until Monday, April 17, retaining its place on the calendar.

SB06-138 by Senator(s) Shaffer, Entz, Fitz-Gerald, Kester; also Representative(s) Gardner, Gallegos, Hodge, Rose--Concerning the requirement that gasoline contain at least a specified percentage of ethanol by volume.

Laid over until Monday, April 17, retaining its place on the calendar.

SB06-224 by Senator(s) Traylor, Grossman, Tupa; also Representative(s) Harvey, Carroll T.--Concerning event data recorded as a motor vehicle feature.

Amendment No. 1, Transportation Committee Amendment.

(Printed in Senate Journal, April 7, page 795 and placed in members' bill files.)

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

Amend the Transportation Committee Report, dated April 6, 2006, page 1, line 5, strike "RECORDED.;" and substitute "RECORDED. THE DISCLOSURE SHALL INCLUDE, WITHOUT LIMITATION, A DESCRIPTION OF THE LONGEST PERIOD OF TIME THAT AN EVENT DATA RECORDER MAY PERMANENTLY STORE IN MEMORY CONCERNING A SINGLE EVENT. A DISCLOSURE MADE BY MEANS OF AN INSERT INTO THE OWNER'S MANUAL SHALL BE DEEMED A DISCLOSURE IN THE OWNER'S MANUAL.;"

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

SB06-223 by Senator(s) Gordon, Entz, Evans, Groff; also Representative(s) Plant, Larson--Concerning adoption of an interstate compact for the election of the president of the United States by national popular vote.

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

SB06-149 by Senator(s) May R.; also Representative(s) Coleman--Concerning oversight of communications and information resources technologies in state agencies.

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

Amendment No. 2(L.003), by Senator Teck.

Amend printed bill, page 11, line 6, after "(g)", insert "(I)";

after line 11, insert the following:

"(II) IN THE EVENT A STATE AGENCY EXPENDS AN AMOUNT EXCEEDING ONE HUNDRED THOUSAND DOLLARS FOR COMMUNICATION AND INFORMATION RESOURCES, COMMUNICATION AND INFORMATION RESOURCES TECHNOLOGIES, OR DATA PROCESSING PROCUREMENTS, AGREEMENTS, OR CONTRACTS WITHOUT ADHERING TO THE POLICIES AND PROCEDURES DEVELOPED PURSUANT TO SUBSECTION (I) OF THIS PARAGRAPH (g), THE CHIEF INFORMATION OFFICER SHALL NOTIFY THE STATE CONTROLLER OF SUCH EXPENDITURE NO LATER THAN JUNE 30 OF THE FISCAL YEAR IN WHICH SUCH EXPENDITURE WAS MADE. UPON SUCH NOTICE, THE STATE CONTROLLER SHALL RESTRICT, IN AN AMOUNT EQUAL TO THE EXPENDITURE, THE APPROPRIATION FOR THE STATE AGENCY'S OPERATING BUDGET ITEM THAT IS MADE IN THE GENERAL APPROPRIATION ACT FOR THE FISCAL YEAR FOLLOWING THE FISCAL YEAR IN WHICH SUCH EXPENDITURE WAS MADE. THE STATE CONTROLLER SHALL NOTIFY THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY NO LATER THAN TEN DAYS AFTER MAKING SUCH RESTRICTION.

(III) UPON NOTICE FROM THE STATE CONTROLLER PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH (g), THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY SHALL INTRODUCE A SUPPLEMENTAL APPROPRIATION BILL FOR THE FISCAL YEAR FOLLOWING THE FISCAL YEAR IN WHICH THE EXPENDITURE WAS MADE THAT REDUCES THE OPERATING BUDGET ITEM OF APPROPRIATION TO THE STATE AGENCY IN AN AMOUNT EQUAL TO THE EXPENDITURE.

(IV) THE HEAD OF THE STATE AGENCY THAT MAKES THE

EXPENDITURE SHALL BE SUSPENDED FROM WORK WITHOUT PAY FOR A PERIOD OF NOT LESS THAN ONE WORKWEEK AND MAY BE OTHERWISE SUBJECT TO A DEMOTION, REDUCTION IN PAY, OR DISCIPLINARY ACTION BY THE APPOINTING AUTHORITY FOR SUCH AGENCY HEAD."

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

HB06-1019 by Representative(s) Soper; also Senator(s) Tochtrop--Concerning the addition of a line to Colorado state individual income tax return forms whereby individual taxpayers may make a voluntary contribution to the Colorado easter seals fund, and making an appropriation therefor.

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

HB06-1297 by Representative(s) Decker, Buescher, Carroll T., Lindstrom, Todd; also Senator(s) Shaffer--Concerning the addition of a line to Colorado state individual income tax return forms whereby individual taxpayers may make a voluntary contribution to the multiple sclerosis fund, and making an appropriation therefor.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Grossman, 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: SB06-224 as amended, SB06-223, SB06-149 as amended, HB06-1019, HB06-1297.

Laid over until Monday, April 17: SB06-046, SB06-138.

RECONSIDERATION OF HB06-1375

HB06-1375 by Representative(s) Pommer; also Senator(s) Windels--Concerning the financing of public schools, and making an appropriation therefor.

Having voted on the prevailing side, Senator Windels moved for reconsideration of the last Senate action, Consideration of Conference Committee Reports on HB06-1375. The roll call was taken with the following result:

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

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

Senator Windels moved that the Senate reject the First Report of the First Conference Committee to HB06-1375, as printed in Senate Journal, April 13, pages 850-859, that the Conference Committee be dissolved and that a new Conference Committee be appointed.

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

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Windels, Chairman, Williams, and Spence as Senate Conferees on the Second Conference Committee on HB06-1375.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB06-1375 by Representative(s) Pommer; also Senator(s) Windels--Concerning the financing of public schools, and making an appropriation therefor.

Senator Windels moved that the Senate Conferees on the Second Conference Committee on HB06-1375 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.

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the Committee recommends that SB06-130 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, after line 2, insert the following:

"SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of education, assistance to public schools, grant programs and other distributions, for basic grants to eligible boards of cooperative services, for the fiscal year beginning July 1, 2006, the sum of two hundred ten thousand dollars (\$210,000), or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 102, strike "SERVICES." and substitute "SERVICES, AND MAKING AN APPROPRIATION THEREFOR."

Appropriations After consideration on the merits, the Committee recommends that SB06-131 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 6, after line 11, insert the following:

"SECTION 5. Appropriation - adjustments to 2006 long bill. For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing, for medical services premiums, for the fiscal year beginning July 1, 2006, is increased by one million one hundred eighty-eight thousand two hundred three dollars (\$1,188,203). Said sum shall be from the general fund and subject to the "(M)" notation as defined in the general appropriation act. In addition to said appropriation, the general assembly anticipates that, for the fiscal year beginning July 1, 2006, the department of health care policy and financing will receive the sum of one million one hundred eighty-eight thousand two hundred three dollars (\$1,188,203) in federal funds for the implementation of this act. Although these federal funds are not appropriated in this act, they are noted for the purpose of indicating the assumptions used relative to these funds."

Renumber succeeding section accordingly.

Page 1, line 102, strike "PROVIDERS." and substitute "PROVIDERS, AND MAKING AN APPROPRIATION THEREFOR."

Appropriations After consideration on the merits, the Committee recommends that SB06-081 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 6, after line 1, insert the following:

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"SECTION 3. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of regulatory agencies, for allocation to the executive director's office, for legal services, for the fiscal year beginning July 1, 2006, the sum of thirty-two thousand two hundred twenty-five dollars (\$32,225), or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of regulatory agencies, for allocation to the division of civil rights, for the fiscal year beginning July 1, 2006, the sum of forty-nine thousand seven hundred ninety-five dollars (\$49,795) and 1.0 FTE, or so much thereof as may be necessary, for the implementation of this act.

(3) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2006, the sum of thirty-two thousand two hundred twenty-five dollars (\$32,225) and 0.2 FTE, or so much thereof as may be necessary, for the provision of legal services to the department of regulatory agencies related to the implementation of this act. Said sum shall be from cash funds exempt received from the department of regulatory agencies out of the appropriation made in subsection (1) of this section."

Renumber succeeding section accordingly.

Page 1, line 102, strike "**PROTECTIONS.**" and substitute "**PROTECTIONS, AND MAKING AN APPROPRIATION THEREFOR.**"

Appropriations

After consideration on the merits, the Committee recommends that **SB06-061** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 7, strike "~~or communicate in~~" and substitute "or communicate in".

Page 11, strike lines 22 through 27, and substitute the following:

"SECTION 13. Appropriation - adjustment in 2006 long bill.

(1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of human services, for the Colorado commission for the deaf and hard of hearing, for the fiscal year beginning July 1, 2006, the sum of one hundred twelve thousand seven hundred forty-five dollars (\$112,745) and 0.5 FTE or so much thereof as may be necessary, for implementation of this act. Of said sum, forty thousand five hundred eighty-seven dollars (\$40,587) shall be for administrative expenditures and seventy-two thousand one hundred fifty-eight dollars (\$72,158) shall be for contract services for legal interpreters.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the disabled telephone users cash fund created in section 4-17-104 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of human services, to the Colorado commission for the deaf and hard of hearing cash fund created in Section 26-21-107, Colorado Revised Statutes, for the fiscal year beginning July 1, 2006, the sum of one hundred ninety-seven thousand two hundred eighty-two dollars (\$197,282) and said sum, or so much thereof as may be necessary, is further appropriated to the department of human services, Colorado commission for the deaf and hard of hearing, for contract services for legal interpreters.

(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the judicial department, for trial courts, for the fiscal year beginning July 1, 2006, the sum of thirty-one thousand eight hundred eighty-eight dollars (\$31,888) and 0.3 FTE, or so much thereof as may be necessary, for implementation of this act. Of said sum, seventeen thousand one hundred thirty dollars (\$17,130) and 0.3 FTE shall be for the court-appointed counsel payment and data system and fourteen

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thousand seven hundred fifty-eight dollars (\$14,758) shall be for court-appointed counsel.

(4) For the implementation of this act, appropriations made in the annual general appropriations act for the fiscal year beginning July 1, 2006, shall be adjusted as follows:

(a) The general fund appropriation to the department of human services, services for people with disabilities, division of vocational rehabilitation, appointment of legal interpreters for the hearing impaired, shall be reduced by sixty-four thousand four hundred seventy-one dollars (\$64,471).

(b) The general fund appropriation to the judicial department shall be reduced by eighty thousand one hundred sixty-two dollars (\$80,162). Of said sum, twenty-seven thousand eight hundred seventeen dollars (\$27,817) shall be from trial courts for trial court programs, thirty-six thousand eighty-nine dollars (\$36,089) shall be from trial courts for mandated costs, and sixteen thousand two hundred fifty-six dollars (\$16,256) shall be from probation and related services for offender services.

SECTION 14. Effective date. This act shall only take effect if Senate Bill 06-218 is enacted at the Second Regular Session of the Sixty-fifth General Assembly and becomes law."

Renumber succeeding section accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **SB06-148** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill,

page 6, line 16, after "**creation.**", insert "(1)".

Page 7, after line 3, insert the following:

"(2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION, THE DIVISION OF CRIMINAL JUSTICE SHALL NOT IMPLEMENT THE COLORADO COMMUNITY POLICING PROGRAM UNTIL SUFFICIENT GRANTS, GIFTS, OR DONATIONS ARE OBTAINED TO COVER THE COSTS OF IMPLEMENTING THE PROGRAM.

SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the community policing program cash fund created in section 24-33.5-606, Colorado Revised Statutes, not otherwise appropriated, to the department of public safety, for allocation to the division of criminal justice, for the fiscal year beginning July 1, 2006, the sum of thirteen thousand nine hundred eight dollars (\$13,908) and 0.3 FTE, or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 102, strike "**AGENCIES.**" and substitute "**AGENCIES, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**".

**MEMORANDUM
REPORT FROM THE SENATE AND HOUSE
COMMITTEES ON DELAYED BILLS**

Pursuant to Joint Rule 23 (c), the Senate and House Committees on Delayed Bills, acting jointly, extend the following deadline for House Bill No. 1375, Concerning the Financing of Public Schools:

The Friday, March 17 deadline (the 66th legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total

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funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, as extended until Friday, April 7, 2006 (the 87th legislative day), Wednesday, April 12, 2006 (the 92nd legislative day), and subsequently until Thursday, April 13, 2006 (the 93rd legislative day), is further extended until Friday, April 21, 2006 (the 101st legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

(signed)

Andrew Romanoff
Representative Romanoff
Speaker of the House of Representatives

Alice Madden
Representative Madden
House Majority Leader

Mike May
Representative May
House Minority Leader

(signed)

Joan Fitz-Gerald
Senator Fitz-Gerald
President of the Senate

Ken Gordon
Senator Gordon
Senate Majority Leader

Andy McElhany
Senator McElhany
Senate Minority Leader

SENATE SERVICES REPORT

Correctly Engrossed: SB06-044, 170, and 212.

Correctly Reengrossed: SB06-198.

Correctly Revised: HB06-1325.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJM06-002; SJR06-013, 023, and 026.

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 14 was laid over until Monday, April 17, retaining its place on the calendar.

Consideration of Resolutions: SJR06-019, SJR06-020, SJR06-022, HJR06-1021.

Consideration of Memorials: SJM06-001, HJM06-1002.

Consideration of House Amendments to Senate Bills: SB06-014, SB06-041, SB06-067, SB06-071, SB06-201.

Consideration of Governor's Appointments:

Members of the Read-To-Achieve Board.

Members of the Colorado Aeronautical Board.

Members of the State Board of Parole.

Members of the Pinnacol Assurance Board of Directors.

Conference Committee to Report: HB06-1121, HB06-1169, HB06-1251.

On motion of Senator Gordon, the Senate adjourned until 10:00 a.m., Monday, April 17, 2006.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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