

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

49th Legislative Day

Tuesday, February 28, 2006

Prayer By the chaplain, Rev. Jeannette Cartin, Harmony Christian Church, Lakewood.

Pledge By Senator Spence.

Call to Order By the President at 9:00 a.m.

Roll Call Present--32.
Absent--3; Gordon, Mitchell, Traylor.
Present later--Gordon, Mitchell, Traylor.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Brophy, reading of the Journal of February 27, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.

INTRODUCTION OF BILLS -- FIRST READING

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

HB06-1192 by Representative(s) Jahn, Hodge, Massey, Solano, Stafford, Witwer; also Senator(s) Takis--Concerning the authority of a state governmental entity to enter into an agreement to share personnel services with any political subdivision of the state.
Judiciary

HB06-1199 by Representative(s) Liston; also Senator(s) Teck--Concerning the authorization of an appointing authority in a department of state government to determine an employee's initial hiring salary within the applicable pay grade.
State, Veterans & Military Affairs

SENATE SERVICES REPORT

Correctly Printed: SB06-196, 197, and 198; SJR06-012.
Correctly Engrossed: SJR06-008.
Correctly Reengrossed: SB06-164, 180, 187, SCR06-002
Correctly Revised: HB06-1175.
Correctly Rerevised: HB06-1002, 1009, 1027, 1040, 1042, 1051, and 1140.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB06-1012, 1049, 1213, 1214, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235.

THIRD READING OF BILLS -- FINAL PASSAGE

On Third Reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

HB06-1175 by Representative(s) May M., Pommer, Larson, Balmer, Benefield, Berens, Boyd, Carroll T., Frangas, Hall, Lindstrom, McCluskey, McGihon, Riesberg, Soper, Stengel, Sullivan, Todd, Vigil; also Senator(s) Grossman, Evans, Fitz-Gerald, Groff, Johnson, Tupa, Windels-
Concerning enactment of the "Colorado Clean Indoor Air Act", and, in connection therewith, prohibiting smoking in indoor enclosed areas, including places of employment.

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

Third Reading Amendment No. 1(L.065), by Senator Tochtrop.

Amend revised bill, page 11, line 7, strike "OR";

line 18, strike "RESTAURANT." and substitute "RESTAURANT; OR";

after line 18, insert the following:

"(m) PREMISES OWNED OR RENTED BY A BINGO-RAFFLE LICENSEE FOR THE CONDUCT OF GAMES OF CHANCE PURSUANT TO ARTICLE 9 OF TITLE 12, C.R.S., WHILE THE PREMISES ARE BEING USED FOR THE CONDUCT OF GAMES OF CHANCE."

The amendment was declared PASSED on the following roll call vote:

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

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. 2(L.066), by Senator McElhany.

Amend revised bill, page 11, line 7, strike "OR";

after line 7, insert the following:

"(j) THE RETAIL FLOOR PLAN, AS DEFINED IN SECTION 12-47.1-509, C.R.S., OF A LICENSED CASINO;"

Reletter succeeding paragraphs accordingly.

Page 11, line 10, change the period to a semicolon;

line 12, strike "(j)," and substitute "(l),".

The amendment was declared PASSED on the following roll call vote:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bacon	N	Hanna	N	Mitchell	Y	Tochtrop	Y
Brophy	Y	Isgar	N	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	N	Tupa	N
Entz	Y	Jones	Y	Shaffer	N	Veiga	N
Evans	N	Keller	N	Spence	Y	Wiens	Y
Gordon	N	Kester	Y	Takis	Y	Williams	N
Groff	Y	Lamborn	Y	Tapia	N	Windels	N
Grossman	N	May R.	Y	Taylor	Y	President	Y
Hagedorn	N	McElhany	Y	Teck	Y		

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

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

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

Co-sponsors added: Gordon and Shaffer.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB06-1319** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB06-1030** be referred to the Committee of the Whole with favorable recommendation.

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB06-1187** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

MESSAGE FROM THE REVISOR OF STATUTES

February 27, 2006

We herewith transmit:

Without comment, HB06-1256, 1267, 1321, 1328, 1340, and 1341.

Without comment, as amended, HB06-1071, 1075, 1207, 1243, 1255, 1309, and 1318 .

Without comment, as amended, SB06-016 and 084.

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 -- Consent Calendar (HB06-1180) of February 28 was laid over until Wednesday, March 1, retaining its place on the calendar.

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

- SB06-123**

by Senator(s) Owen; also Representative(s) Hall--Concerning the authority of military forces to use lethal force.

Laid over until May 11, 2006.

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- SB06-168**

by Senator(s) Hanna; also Representative(s) Rose--Concerning the use of electric personal assistive mobility devices on public rights of way used for traffic.

Declared LOST on Second Reading.

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- SB06-071**

by Senator(s) Veiga; also Representative(s) Massey--Concerning the increased regulation of agreements offered to a home owner in connection with foreclosure of the home owner's residence.

Amendment No. 1, Business, Labor, and Technology Committee Amendment.
(Printed in Senate Journal, February 21, pages 288-292 and placed in members' bill files.)

Amendment No. 2(L.005), by Senator Veiga.

Amend the Business, Labor and Technology Committee Report, dated February 20, 2006, page 1, strike lines 10 through 17 and substitute the following:

""(g) WHILE PERFORMING SERVICES AS A PART OF A PERSON'S NORMAL BUSINESS ACTIVITIES UNDER ANY LAW OF THIS STATE OR THE UNITED STATES THAT REGULATES BANKS, TRUST COMPANIES, SAVINGS AND LOAN ASSOCIATIONS, CREDIT UNIONS, INSURANCE COMPANIES, TITLE INSURERS, INSURANCE PRODUCERS, OR ESCROW COMPANIES AUTHORIZED TO CONDUCT BUSINESS IN THE STATE, AN AFFILIATE OR SUBSIDIARY OF SUCH PERSON, OR AN EMPLOYEE OR AGENT ACTING ON BEHALF OF SUCH PERSON.";"

Page 6, after line 3, insert the following:

"line 10, strike "EQUITY SELLER" and substitute "HOME OWNER";";

line 4, strike "9" and substitute "11".

Page 7, strike lines 3 and 4 and substitute the following:

"line 22, strike "AN EQUITY SELLER" and substitute "A HOME OWNER";

line 23, strike "AN EQUITY SELLER" and substitute "A HOME OWNER";";

line 17, strike ""FOR"." and substitute ""FOR";";

after line 17, insert the following:

"line 26, strike "AN EQUITY SELLER," and substitute "A HOME OWNER,".".

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

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- SB06-125**

by Senator(s) Windels; --Concerning on-line education programs.

(Amended in General Orders as printed in Senate Journal, February 24, page 335.)

Amendment No. 3(L.003), by Senator Windels.

Amend the Education Committee Report, dated February 9, 2006, page 1, line 4, before "THE", insert "SIXTY-FIVE PERCENT OF";

line 8, strike "ONE-HALF" and substitute "THIRTY-TWO AND FIVE TENTHS PERCENT".

Amendment No. 4(L.004), by Senator Windels.

Amend printed bill, page 5, line 9, after "COURSES", insert "IN SUBJECTS

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THAT ARE NOT INCLUDED IN THE COLORADO STUDENT ASSESSMENT PROGRAM PURSUANT TO SECTION 22-7-409";

line 13, strike "ONE OR TWO" and substitute "THE";

line 17, after "courses", insert "IN SUBJECTS THAT ARE NOT INCLUDED IN THE COLORADO STUDENT ASSESSMENT PROGRAM PURSUANT TO SECTION 22-7-409";

line 19, strike "THREE or more" and substitute "~~or more~~ THE";

line 22, strike "THREE or more" and substitute "~~or more~~ THE".

As amended, declared LOST on Second Reading.

SB06-040 by Senator(s) Teck; --Concerning increased consumer protections with regard to negative option plans.

(Amended in General Orders as printed in Senate Journal, February 24, page 339.)

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

SB06-171 by Senator(s) Johnson; also Representative(s) Lindstrom--Concerning the transfer of certain authorities of the state board of health to other governmental entities.

Amendment No. 1, Agriculture, Natural Resources and Energy Committee Amendment.
(Printed in Senate Journal, February 20, page 271 and placed in members' bill files.)

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

SB06-185 by Senator(s) Lamborn; also Representative(s) Liston--Concerning the protection of home owners in small common interest communities.

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

SB06-177 by Senator(s) Veiga; also Representative(s) Larson--Concerning modifications to the statutory requirements of part 3 of article 4.1 of title 24, Colorado Revised Statutes.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 23, pages 321-322 and placed in members' bill files.)

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

Amend printed bill, page 7, strike lines 16 through 24 and substitute the following:

"(v) THE RIGHT TO PREVENT ANY PARTY AT ANY COURT PROCEEDING FROM COMPELLING TESTIMONY REGARDING THE CURRENT ADDRESS, TELEPHONE NUMBER, PLACE OF EMPLOYMENT, OR OTHER LOCATING INFORMATION OF THE VICTIM UNLESS THE VICTIM CONSENTS OR THE COURT ORDERS DISCLOSURE UPON A FINDING THAT A REASONABLE AND ARTICULABLE NEED FOR THE INFORMATION EXISTS. ANY PROCEEDING CONDUCTED BY THE COURT CONCERNING WHETHER TO ORDER DISCLOSURE SHALL BE IN CAMERA."

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

SB06-089 by Senator(s) Hagedorn; also Representative(s) Carroll M.--Concerning common interest communities.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 24, pages 327-331 and placed in members' bill files.)

Amendment No. 2(L.012), by Senators Hagedorn and Mitchell.

Amend the Judiciary Committee Report, dated February 20, 2006, page 3, strike lines 19 through 27.

Page 4, strike lines 1 through 15 and substitute the following:

"Page 5, strike lines 10 through 12 and substitute the following:

"SECTION 6. 38-33.3-209.4 (2) (e) and (2) (f), Colorado Revised Statutes, are amended to read:";

strike lines 23 through 27.

Page 6, strike lines 1 through 3 and substitute the following:

"(f) A list of all association insurance policies, including, but not limited to, property, general liability, association director and officer professional liability, and fidelity policies. Such list shall include the company names, policy limits, policy deductibles, additional named insureds, and expiration dates of the policies listed AND SHALL BE ACCOMPANIED BY A DISCLOSURE STATEMENT IN BOLD-FACED TYPE THAT IS CLEARLY LEGIBLE AND IN SUBSTANTIALLY THE FOLLOWING FORM:

"THE ASSOCIATION MAY OBTAIN PROPERTY INSURANCE COVERING CERTAIN PORTIONS OF THE COMMON INTEREST COMMUNITY. ANY PROPERTY INSURANCE MAINTAINED BY THE ASSOCIATION MAY NOT COVER YOUR UNIT (OR PORTIONS OF YOUR UNIT) AND MAY NOT COVER THE PERSONAL BELONGINGS AND OTHER CONTENTS OF YOUR UNIT. YOU SHOULD NOT ASSUME THAT ANY PROPERTY INSURANCE MAINTAINED BY THE ASSOCIATION WILL PROTECT YOU AGAINST DAMAGE TO OR LOSS OF YOUR UNIT AND ITS CONTENTS. YOU SHOULD DETERMINE WHAT INSURANCE COVERAGE MAY BE REQUIRED TO PROTECT YOU AGAINST DAMAGE TO OR LOSS OF YOUR UNIT AND ITS CONTENTS. YOU SHOULD OBTAIN PROFESSIONAL ADVICE REGARDING INSURANCE COVERAGE OF YOUR UNIT AND ITS CONTENTS.";"

line 16 of the committee report, strike "Page 6,".

Page 7 of the committee report, strike line 35 and substitute the following:

"Page 15, line 16, after "OR", insert "IN AN INSURANCE POLICY" and strike "(j)," and substitute "(f),".

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

HB06-1136 by Representative(s) Witwer, Berens; also Senator(s) Shaffer--Concerning a requirement to notify the state attorney general when a defendant alleges a law is unconstitutional.

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

SB06-190 by Senator(s) Shaffer; also Representative(s) Larson--Concerning fuel products.

Laid over until July 6, 2006.

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- SB06-135** by Senator(s) Owen, Tapia, Keller; also Representative(s) Plant, Buescher, Hall--
Concerning the enrollment of pregnant women in the children's basic health plan, and, in
connection therewith, authorizing the use of tobacco tax moneys to pay for the services
provided. 1
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Amendment No. 1, Appropriations Committee Amendment. 6
(Printed in Senate Journal, February 24, pages 331-332 and placed in members' bill files.) 7
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As amended, ordered engrossed and placed on the calendar for Third Reading and Final 9
Passage. 10
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- SB06-015** by Senator(s) Taylor, Hanna, Takis; also Representative(s) Coleman, Schultheis, Vigil,
White--Concerning a clarification of the types of motor vehicles included in the centralized 13
fleet of state vehicles. 14
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Amendment No. 1, Transportation Committee Amendment. 17
(Printed in Senate Journal, February 8, page 155 and placed in members' bill files.) 18
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Amendment No. 2, Appropriations Committee Amendment. 20
(Printed in Senate Journal, February 24, page 332 and placed in members' bill files.) 21
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As amended, ordered engrossed and placed on the calendar for Third Reading and Final 23
Passage. 24
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- HB06-1048** by Representative(s) Vigil, Coleman, Schultheis, White; also Senator(s) Takis, Hanna,
Taylor--Concerning the discipline of persons engaged in an occupation regulated by the 27
division of registrations in the department of regulatory agencies. 28
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Ordered revised and placed on the calendar for Third Reading and Final Passage. 31
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- SB06-037** by Senator(s) Isgar; also Representative(s) Curry--Concerning the adjudication of
recreational in-channel diversions. 34
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Laid over until Wednesday, March 1, retaining its place on the calendar. 37
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- HB06-1028** by Representative(s) Carroll T.; also Senator(s) Mitchell--Concerning an increase in the
number of judges in certain courts within the state judicial department, and making an 40
appropriation therefor. 41
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Ordered revised and placed on the calendar for Third Reading and Final Passage. 44
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- SB06-159** by Senator(s) Traylor, Spence, Williams, Windels; also Representative(s) King--Concerning 47
information about persons employed in public schools. 48
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(Amended in General Orders as printed in Senate Journal, February 23, pages 319-320.) 50
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Laid over until May 11, 2006. 52
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- SB06-143** by Senator(s) Fitz-Gerald; also Representative(s) Madden--Concerning the statute of
limitations for civil actions alleging unlawful sexual conduct. 55
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Laid over until Wednesday, March 1, retaining its place on the calendar. 58
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- HB06-1033** by Representative(s) Coleman, Vigil, White; also Senator(s) Takis, Hanna, Taylor--
Concerning the modification of the manner in which the state controller makes required 61
allocations of two-thirds of the general fund surplus for any state fiscal year commencing on 62
or after July 1, 2006, to the highway users tax fund and one-third of such general fund 63
surplus to the capital construction fund to require the state controller to make ninety percent 64
of the estimated annual allocations on September 20 of each year and the remaining 65
amounts of the allocations on the date the state controller issues the comprehensive annual 66
report of the state. 67
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Amendment No. 1(L.001), by Senator Takis.

Amend reengrossed bill, page 3, line 16, strike "ISSUES" and substitute "DISTRIBUTES".

Page 1, line 110, strike "ISSUES" and substitute "DISTRIBUTES".

As amended, 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 Hagedorn, the Report of the Committee of the Whole was adopted and, a majority of all members elected to the Senate having voted in the affirmative, the following action was taken:

Passed on Second Reading: SB06-071 as amended, SB06-040 as amended, SB06-171 as amended, SB06-185, SB06-177 as amended, SB06-089 as amended, HB06-1136, SB06-135 as amended, SB06-015 as amended, HB06-1048, HB06-1028, HB06-1033 as amended.

Lost on Second Reading: SB06-168, SB06-125 as amended.

Laid over until Wednesday, March 1: SB06-037, SB06-143.

Laid over until May 11, 2006: SB06-123, SB06-159 as amended.

Laid over until July 6, 2006: SB06-190.

COMMITTEE OF REFERENCE REPORTS

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

MEMBERS OF THE COLORADO CIVIL RIGHTS COMMISSION

for a term expiring March 13, 2007:

Virginia Butler of Denver, Colorado, to fill the vacancy occasioned by the resignation of Joseph M. Samuel of Denver, Colorado, and to serve as a representative of the community at large and as a Republican, appointed.

for a term expiring March 13, 2008:

Randy A. Reed of Castle Rock, Colorado, to fill the vacancy occasioned by the resignation of James R. Sullivan of Larkspur, Colorado, and to serve as a representative of local government and as a Republican, appointed.

for a term expiring March 13, 2009:

Eva M. Valdez of Pueblo, Colorado, to serve as a representative of the community at large and as a Democrat, appointed.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB06-1142** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB06-1143** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB06-1104** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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State, Veterans, & Military Affairs 1
 After consideration on the merits, the Committee recommends that **HB06-1081** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar. 2
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State, Veterans, & Military Affairs 5
 After consideration on the merits, the Committee recommends that **SB06-170** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation. 6
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Amend printed bill, page 2, after line 1, insert the following: 10
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"**SECTION 1.** 1-1-302 (2) (a) and (2) (b), Colorado Revised Statutes, are amended to read: 12
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1-1-302. Persons required to complete certification - deadline. 14
 (2) A person required to obtain certification shall: 15
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(a) ~~Begin the certification process within one year of undertaking the responsibilities for which the person is required to obtain certification;~~ 18
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(b) Complete the certification requirements within ~~one year~~ TWO YEARS of undertaking the responsibilities for which the person is required to obtain certification; and". 22
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Renumber succeeding sections accordingly. 26
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Page 3, strike line 5 and substitute the following: 28
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1-2-703. Violations - penalties. (3) (a) A VOTER REGISTRATION DRIVE ORGANIZER THAT NEGLIGENTLY FAILS TO DELIVER A VOTER REGISTRATION APPLICATION TO THE PROPER COUNTY CLERK AND RECORDER WITHIN THE TIME PRESCRIBED BY SECTION 1-2-702 (2) SHALL BE PUNISHED BY A FINE NOT TO EXCEED FIFTY DOLLARS FOR EACH BUSINESS DAY OF VIOLATION. 30
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(b) A voter registration drive"; 37
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line 6, strike "negligently fails" and substitute "~~negligently fails~~ HAS BEEN FINED THREE TIMES OR MORE UNDER PARAGRAPH (a) OF THIS SUBSECTION (3) FOR FAILURE"; 39
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line 9, after the period, add "~~In addition to the penalty imposed under section 1-13-111, a voter registration drive organizer that negligently fails to deliver a voter registration application to the proper county clerk and recorder within the time prescribed by section 1-2-702 (2) shall be punished by a fine not to exceed five hundred dollars for each business day of violation.~~"; 43
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line 10, strike "(b)" and substitute "(c)"; 50
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strike lines 16 through 21; 52
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line 22, strike "(2), (5)," and substitute "(5)"; 54
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strike lines 25 through 27 and substitute the following: 56
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"centers.". 58
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Page 4, strike lines 1 through 9; 60
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line 10, strike "(a)"; 62
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line 18, strike "PARAGRAPH (b) OF THIS SUBSECTION (5)." and substitute "ARTICLE 4 OF TITLE 24, C.R.S."; 64
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line 22, strike "THE RULES SHALL REQUIRE A DESIGNATED ELECTION"; 67
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strike lines 23 and 24.

Page 5, line 5, strike "(3) and (4)," and substitute "(3),";

line 6, strike "are" and substitute "is";

strike line 15 and substitute the following:

"electors, ~~forty-five~~ FIFTY cents";

line 16, strike "FUND AND FIFTY CENTS FROM THE GENERAL FUND";

strike line 19 and substitute the following:

"electors, ~~thirty-five~~ FORTY cents";

line 20, strike "FUND AND FORTY CENTS FROM THE GENERAL FUND";

strike lines 22 through 25;

after line 25, insert the following:

"SECTION 6. 1-5-616 (5) (a), Colorado Revised Statutes, is amended to read:

1-5-616. Electronic and electromechanical voting systems - standards - procedures. (5) (a) Each designated election official shall establish written procedures to ensure the accuracy and security of voting in the political subdivision AND SUBMIT THE PROCEDURES TO THE SECRETARY OF STATE FOR REVIEW. The secretary of state shall ~~review all such procedures~~ NOTIFY THE DESIGNATED ELECTION OFFICIAL OF THE APPROVAL OR DISAPPROVAL OF THE PROCEDURES NO LATER THAN FIFTEEN DAYS AFTER THE SECRETARY OF STATE RECEIVES THE SUBMISSION."

Renumber succeeding sections accordingly.

Page 6, line 13, strike "A COPY OF THE CERTIFICATION OF" and substitute "EVIDENCE OF SERVICE AS AN ELECTION JUDGE.";

strike lines 14 through 16.

Page 7, after line 17, insert the following:

"SECTION 10. 30-11-505 (1), Colorado Revised Statutes, is amended to read:

30-11-505. Referendum election on charter - adoption or rejection. (1) Upon submission to the board of county commissioners of a charter by the charter commission, the board of county commissioners shall call a special election, to be paid for from the special county charter fund ~~to be~~ AND held pursuant to the Colorado election laws. THE SPECIAL ELECTION SHALL BE HELD not more than ninety days nor less than forty-five days ~~subsequent to its receipt of~~ AFTER THE BOARD OF COUNTY COMMISSIONERS RECEIVES the proposed charter; ~~and~~ HOWEVER, IF A COORDINATED ELECTION OR GENERAL ELECTION IS TO BE HELD WITHIN SIXTY DAYS AFTER THE BOARD OF COUNTY COMMISSIONERS RECEIVES THE PROPOSED CHARTER, THE SPECIAL ELECTION SHALL BE HELD AS PART OF THE COORDINATED ELECTION OR GENERAL ELECTION. The board of county commissioners shall publish in a newspaper of general circulation within the county a complete text of the proposed charter not less than ten days prior to the special election. At the special election a referendum of the registered electors of the county shall be held to determine the question of whether the proposed charter as submitted shall be adopted. Notice of the election on the proposed charter shall be published at least thirty days prior to the election."

Renumber succeeding section accordingly.

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CONSIDERATION OF RESOLUTIONS

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

Laid over until March 6, 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 balance of the calendar of February 28 was laid over until Wednesday, March 1, retaining its place on the calendar.

- Consideration of House Amendments to Senate Bills: SB06-016, SB06-084.
Consideration of Governor's Appointments:
Members of the Board of Assessment Appeals.
Executive Director of the Department of Health Care Policy and Financing.
Conference Committees to Report: HB06-1215.

On motion of Senator Gordon, the Senate adjourned until 9:00 a.m., Wednesday, March 1, 2006.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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