

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

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52nd Legislative Day

Friday, March 3, 2006

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Prayer By Senator Fitz-Gerald.

Pledge By Senator Spence.

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

Roll Call Present--31.  
Excused--4; Grossman, May, Mitchell, Traylor.  
Present later--Mitchell, Traylor.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Brophy, reading of the Journal of March 2, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.

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**COMMITTEE OF REFERENCE REPORTS**

Judiciary After consideration on the merits, the Committee recommends that **SB06-090** 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 9, strike "POLICE" and substitute "PEACE";

strike lines 17 through 22 and substitute the following:

"WITHIN COLORADO AND TO UNDERMINE FEDERAL IMMIGRATION LAW.".

Page 3, strike line 1;

line 13, strike "POLICE" and substitute "PEACE";

line 17, strike "POLICE OFFICER, LOCAL OFFICIAL, OR LOCAL" and substitute "PEACE OFFICER";

strike line 18 and substitute "WHO REASONABLY BELIEVES THAT AN";

line 19, strike "PERSON" and substitute "ARRESTEE FOR A CRIMINAL OFFENSE";

line 20, strike "PERSON" and substitute "ARRESTEE FOR A CRIMINAL OFFENSE";

line 23, strike "LOCAL OFFICIALS OF THE DUTY TO COMPLY" and substitute "PEACE OFFICERS OF THE DUTY TO COOPERATE WITH STATE AND FEDERAL OFFICIALS WITH REGARDS TO ENFORCEMENT OF STATE AND FEDERAL LAWS REGARDING IMMIGRATION AND COMPLY".

Page 4, line 3, after "VIOLATES", insert "SUBSECTION (1) OF THIS SECTION OR PARAGRAPH (b) OF SUBSECTION (2) OF".

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Judiciary

After consideration on the merits, the Committee recommends that **SB06-110** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute the following:

**"SECTION 1.** Part 1 of article 2 of title 8, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**8-2-121. Document fraud - penalties.** (1) A PERSON OR ENTITY SHALL NOT KNOWINGLY FORGE, COUNTERFEIT, ALTER, OR FALSELY MAKE OR PROVIDE ANY DOCUMENT LISTED IN 8 CFR 274a.2 (b) (1) (v) FOR ANY PURPOSE.

(2) ANY PERSON OR ENTITY THAT VIOLATES SUBSECTION (1) OF THIS SECTION SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT LESS THAN FIFTY THOUSAND DOLLARS FOR EACH DOCUMENT SUBJECT TO THE VIOLATION. MONEYS COLLECTED PURSUANT TO THIS SUBSECTION (2) SHALL BE DEPOSITED IN THE JUDICIAL STABILIZATION CASH FUND CREATED IN SECTION 13-32-101 (1.5), C.R.S. IN THE EVENT THAT THE JUDICIAL STABILIZATION FUND IS ABOLISHED, THE MONEYS COLLECTED PURSUANT TO THIS SUBSECTION (2) SHALL BE DEPOSITED IN THE GENERAL FUND.

(3) THE PENALTIES IN THIS SECTION SHALL BE IMPOSED IN ADDITION TO, AND NOT IN LIEU OF, THE PENALTIES IN PART 1 OF ARTICLE 5 OF TITLE 18, C.R.S.

**SECTION 2. Applicability.** This act shall apply to offenses committed on or after the effective date of this act.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Page 1, line 102, strike "STATUS, AND" and substitute "STATUS.";

strike line 103.

Appropriations

After consideration on the merits, the Committee recommends that **SB06-129** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Finance Committee Report, dated February 16, 2006, page 1, line 11, strike "C.R.S." and substitute "C.R.S.";

after line 11, of the committee report, insert the following:

"after line 9, insert the following:

**"SECTION 3. Appropriation - adjustment to the 2005 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, 2005, shall be adjusted as follows:

(a) The appropriation for other medical services, nurse home visitor program, is decreased by two hundred thirty-one thousand twenty-eight dollars (\$231,028). Of said sum, one hundred fifteen thousand five hundred fourteen dollars (\$115,514) shall be from a transfer of funds from the department of public health and environment from the nurse home visitor program fund created in section 25-31-107 (2) (b), Colorado Revised Statutes, and one hundred fifteen thousand five hundred fourteen dollars (\$115,514) shall be from federal funds.

(b) The appropriation for other medical services, S.B. 97-101 public school health services, is decreased by five million four hundred twelve thousand three hundred thirteen dollars (\$5,412,313). Of said

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sum, two million seven hundred six thousand one hundred fifty-six dollars (\$2,706,156) shall be from funds certified as representing expenditures incurred by school districts that are eligible for federal financial participation under Medicaid and two million seven hundred six thousand one hundred fifty-seven dollars (\$2,706,157) shall be from federal funds.

(2) For the implementation of this act, appropriations made in the annual general appropriation act to the department of education, for the fiscal year beginning July 1, 2005, shall be adjusted as follows: The cash funds exempt appropriation for assistance to public schools, grant programs and other distributions, S.B. 97-101 public school health services, is decreased by two million seven hundred six thousand one hundred fifty-seven dollars (\$2,706,157). Said sum shall be from medicaid funds transferred from the department of health care policy and financing."

Renumber succeeding section accordingly.

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

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 printed bill, page 5, after line 10, insert the following:

**SECTION 5. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the highway safety sign account created in section 42-1-217 (1) (f), Colorado Revised Statutes, not otherwise appropriated, to the department of transportation, for the direct and indirect costs of implementing this legislation, for the fiscal year beginning July 1, 2006, the sum of twenty-nine thousand one hundred eighty-five dollars (\$29,185), or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 101, strike "DRIVING." and substitute "DRIVING, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."."

Appropriations

After consideration on the merits, the Committee recommends that **SB06-176** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Education Committee Report, dated February 15, 2006, page 1, line 8, after "education," insert "management and administration, office of professional services,";

line 10, strike "fifty thousand dollars (\$750,000)." and substitute "seventy-five thousand dollars (\$775,000).";

line 11, after "licensure" insert "cash";

line 15, strike "identification, for program costs," and substitute "for fingerprint processing services,";

line 17, strike "fees from" and substitute "fees transferred from the department of education.";

strike line 18.

Page 2, line 2, strike "identification, for program costs," and substitute "for fingerprint processing services,";

line 8, strike "IN CONNECTION THEREWITH." and substitute "THEREFOR."

Appropriations

After consideration on the merits, the Committee recommends that **SB06-027** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB06-020** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 18, after line 7, insert the following:

**SECTION 4. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of registrations cash fund created in section 24-34-105 (2) (b) (II), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the division of registrations, for the board of nursing, for the fiscal year beginning July 1, 2006, the sum of three hundred twenty-seven thousand four hundred sixty-one dollars (\$327,461) and 2.0 FTE, 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 to the department of law, for the fiscal year beginning July 1, 2006, the sum of ten thousand three hundred twelve dollars (\$10,312), 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 division of registrations out of the appropriation made in subsection (1) of this section."

Renumber succeeding section accordingly.

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

Appropriations

After consideration on the merits, the Committee recommends that **SB06-088** be postponed indefinitely.

Local Government

After consideration on the merits, the Committee recommends that **HB06-1181** be referred to the Committee of the Whole with favorable recommendation.

Local Government

After consideration on the merits, the Committee recommends that **HB06-1250** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Local Government

After consideration on the merits, the Committee recommends that **SB06-052** 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 5, after "SPECIFIC", insert "AND EXCLUSIVE";

line 8, strike "MAINTENANCE" and substitute "MANAGEMENT";

after line 13, insert the following:

"(III) IN NO CASE SHALL THE DURATION OF THE ADDITIONAL INCREMENT OF SALES TAX OR USE TAX EXEMPTED PURSUANT TO THIS SUBSECTION (5.5) EXCEED TWENTY YEARS FROM THE DATE OF APPROVAL BY ELIGIBLE ELECTORS OF SUCH SALES AND USE TAX.

(IV) (A) EACH COUNTY SHALL SPECIFY IN THE BALLOT LANGUAGE PLACED BEFORE ELIGIBLE ELECTORS IN THAT COUNTY WHAT PERCENTAGE

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OF THE TOTAL REVENUE GENERATED FROM THE ADDITIONAL INCREMENT EXEMPTED IN THIS SUBSECTION (5.5) SHALL BE USED FOR THE MANAGEMENT OF OPEN SPACE AND PARKS. THE PERCENTAGE SHALL NOT EXCEED THIRTY PERCENT OF THE TOTAL REVENUE GENERATED FROM THE ADDITIONAL INCREMENT EXEMPTED PURSUANT TO THIS SUBSECTION (5.5).

(B) THE FUNDING FOR THE MANAGEMENT OF OPEN SPACE AND PARKS SHALL BE SOLELY USED FOR THE MANAGEMENT OF OPEN SPACE AND PARKS ACQUIRED WITH THE ADDITIONAL INCREMENT OF SALES TAX OR USE TAX EXEMPTED PURSUANT TO THIS SUBSECTION (5.5).

(C) FOR PURPOSES OF THIS SUBSECTION (5.5), "MANAGEMENT" SHALL BE LIMITED TO THOSE ACTIVITIES THAT ARE DIRECTLY RELATED TO WILDFIRE HAZARD MITIGATION, FLOOD HAZARD AND EROSION CONTROL AND MITIGATION, NOXIOUS WEED MANAGEMENT, PUBLIC ACCESS, WILDLIFE HABITAT AND NATIVE PLANT RESTORATION, AND HIKING, BIKING, WALKING, AND EQUESTRIAN TRAIL MAINTENANCE FOR THE PURPOSE OF PUBLIC HEALTH AND SAFETY. THE MAINTENANCE OF HIKING, BIKING, WALKING, AND EQUESTRIAN TRAILS MAY INCLUDE SIGNAGE AND PUBLIC FACILITIES.";

line 18, strike "MAINTENANCE" and substitute "MANAGEMENT".

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**INTRODUCTION OF RESOLUTIONS**

The following resolution was read by title:

**SR06-004** by Senator(s) Gordon, Fitz-Gerald, McElhany; --Concerning the appointment of an employee for the Senate of the Sixty-fifth General Assembly.

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

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**INTRODUCTION OF BILLS -- FIRST READING**

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

**SB06-201** by Senator(s) Veiga; --Concerning an extension of the period during which the voluntary contribution designation benefiting the Colorado domestic abuse program fund shall appear on the state individual income tax return forms.  
Finance

**SB06-202** by Senator(s) Traylor; also Representative(s) Vigil--Concerning the collection by the state of debts due to a governmental entity.  
State, Veterans & Military Affairs

**SB06-203** by Senator(s) Windels; also Representative(s) Madden--Concerning the requirement that the Colorado commission on higher education comply with the "State Administrative Procedure Act".  
Education

**SB06-204** by Senator(s) Windels; also Representative(s) Madden--Concerning appointments to the governing boards of state institutions of higher education.  
Education

**SB06-205** by Senator(s) Windels; also Representative(s) Madden--Concerning the membership requirements of boards created in the department of higher education.  
Education

**HB06-1085** by Representative(s) Garcia; also Senator(s) Entz--Concerning expansion of the purposes for which moneys in the building regulation fund may be expended, and making an appropriation in connection therewith.  
Local Government  
Appropriations

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- HB06-1091** by Representative(s) McFadyen, Larson, Hodge; also Senator(s) Takis, Brophy, Kester--  
Concerning the inclusion of commercial vehicles in the enterprise zone income tax credit  
for investments in certain property.  
State, Veterans & Military Affairs1  
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- HB06-1196** by Representative(s) Balmer, Borodkin, Coleman, Liston, Marshall, McCluskey, Paccione,  
Welker; also Senator(s) Tapia--Concerning the consolidation of the existing regulation of  
engineering-related professions, and, in connection therewith, consolidating the state board  
of licensure for professional engineers and professional land surveyors and the state board  
of examiners of architects into the state board of licensure for architects, professional  
engineers, and professional land surveyors, continuing the regulation of architecture,  
clarifying what constitutes a record set of drawings and the proper use of an architect's  
stamp on such drawings, imposing professional liability, clarifying issues concerning  
architectural firms, authorizing the use of the name of a departed partner in the name of a  
firm, changing certain notifications concerning settlements or judgments, requiring that a  
crime that triggers discipline be related to the practice of architecture, and repealing certain  
board notification requirements, and making an appropriation in connection therewith.  
Business, Labor and Technology8  
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- HB06-1264** by Representative(s) Hefley; also Senator(s) Grossman--Concerning the enactment of  
consistent provisions among the occupations regulated by the division of registrations in the  
department of regulatory agencies.  
Business, Labor and Technology22  
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- HB06-1273** by Representative(s) Liston; also Senator(s) Traylor--Concerning the right of final  
disposition of the remains of a decedent.  
Business, Labor and Technology27  
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- HB06-1277** by Representative(s) Clapp; also Senator(s) Sandoval--Concerning the treatment of persons  
with a mental illness.  
Health and Human Services31  
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- HB06-1287** by Representative(s) Stafford; also Senator(s) Sandoval--Concerning the investment of  
public funds.  
Finance35  
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- HB06-1295** by Representative(s) Hodge; also Senator(s) Hanna--Concerning the salaries of county  
officers, and, in connection therewith, implementing the recommendations of the county  
elected officials' salary commission.  
Local Government39  
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- HB06-1320** by Representative(s) Hefley, McGihon, Carroll T., Clapp, Decker, Gardner, Jahn; also  
Senator(s) Grossman--Concerning the promotion of the lottery by the state lottery division  
director.  
Finance44  
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- HB06-1334** by Representative(s) Clapp; also Senator(s) Gordon--Concerning the confidentiality of  
evaluations performed in proceedings involving the allocation of parental responsibilities  
with respect to children.  
Judiciary49  
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**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:

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

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

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| YES      | 33 | NO       | 0 | EXCUSED  | 2 | ABSENT    | 0 |
|----------|----|----------|---|----------|---|-----------|---|
| Bacon    | Y  | Hanna    | Y | Mitchell | Y | Tochtrop  | Y |
| Brophy   | Y  | Isgar    | Y | Owen     | Y | Traylor   | Y |
| Dyer     | Y  | Johnson  | Y | Sandoval | Y | Tupa      | Y |
| Entz     | Y  | Jones    | Y | Shaffer  | Y | Veiga     | Y |
| Evans    | Y  | Keller   | Y | Spence   | Y | Wiens     | Y |
| Gordon   | Y  | Kester   | Y | Takis    | Y | Williams  | Y |
| Groff    | Y  | Lamborn  | Y | Tapia    | Y | Windels   | Y |
| Grossman | E  | May R.   | E | Taylor   | Y | President | Y |
| Hagedorn | 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: Dyer, Entz, Evans, Fitz-Gerald, Kester, Lamborn, Mitchell, Taylor and Teck.

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

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

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

**HB06-1180** by Representative(s) Soper; also Senator(s) Kester--Concerning the repeal of the dental advisory committee.

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

**HB06-1319** by Representative(s) Vigil; also Senator(s) Teck--Concerning the renewal of licenses for real estate appraisers.

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

**HB06-1187** by Representative(s) Paccione, Borodkin, Butcher, Carroll M., Cerbo, Coleman, Liston, Marshall; also Senator(s) Veiga--Concerning the continuation of the utility consumers' board.

Amendment No. 1(L.003), by Senator Gordon.

Amend reengrossed bill, page 3, line 12, strike "06-\_\_\_" and substitute "06-1002";

line 13, strike "06-\_\_\_" and substitute "06-1002".

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

**HB06-1142** by Representative(s) Cloer, Decker, Kerr, Knoedler; also Senator(s) Williams--Concerning the compensation paid to student election judges.

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

**HB06-1143** by Representative(s) Gallegos; also Senator(s) Kester--Concerning the authority of a county clerk and recorder to request criminal history records for individuals who assist in the process of conducting elections.

Upon request of Senator Gordon, **HB06-1143** was removed from the Consent Calendar of March 3 and placed at the end of the General Orders -- Second Reading of Bills calendar of Monday, March 6.

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**HB06-1104** by Representative(s) Ragsdale; also Senator(s) Entz--Concerning a requirement that an applicant for an identification card contain the applicant's fingerprint.

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

**HB06-1081** by Representative(s) Ragsdale; also Senator(s) Fitz-Gerald--Concerning a prohibition on the inspection of certain records maintained by designated election officials that relate to the identification of electors.

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

**HB06-1068** by Representative(s) Lindstrom, Berens, Cerbo, McCluskey, McGihon, Ragsdale, Riesberg, Vigil; also Senator(s) Grossman, Entz, Taylor, Tochtrop--Concerning the creation of a social security supplemental plan by the board of directors of the fire and police pension association that will allow employers that cover employees under the federal "Social Security Act" to provide a defined benefit retirement plan to employees.

Amendment No. 1, Local Government Committee Amendment.  
(Printed in Senate Journal, March 1, page 369 and placed in members' bill files.)

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

**HB06-1059** by Representative(s) Riesberg, Berens, Cerbo, Lindstrom, McCluskey, McGihon, Ragsdale, Vigil; also Senator(s) Williams, Entz, Taylor, Tochtrop--Concerning the structure of trust funds and investment funds in the administration of assets for the benefit of firefighters and police officers.

Amendment No. 1(L.002), by Senator Williams.

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

"SUPPORT DEBT PURSUANT TO SECTION 14-14-104, C.R.S., CHILD SUPPORT ARREARAGES AS REQUESTED AS PART OF AN ENFORCEMENT ACTION UNDER ARTICLE 5 OF TITLE 14, C.R.S., OR CHILD SUPPORT ARREARAGES THAT ARE THE SUBJECT OF ENFORCEMENT SERVICES PROVIDED UNDER SECTION 26-13-106, C.R.S., AND EXCEPT".

Page 5, strike lines 21 and 22 and substitute the following:

"FOR CHILD SUPPORT PURPOSES AS PROVIDED FOR IN SECTION 14-14-104, C.R.S., CHILD SUPPORT ARREARAGES AS REQUESTED AS PART OF AN ENFORCEMENT ACTION UNDER ARTICLE 5 OF TITLE 14, C.R.S., OR CHILD SUPPORT ARREARAGES THAT ARE THE SUBJECT OF ENFORCEMENT SERVICES PROVIDED UNDER SECTION 26-13-106, C.R.S.,".

Page 9, strike lines 16 and 17 and substitute the following:

~~"child support purposes as provided for in sections 14-10-118 (1) and 14-14-107, C.R.S., as they existed prior to July 1, 1996~~ DEBT PURSUANT TO SECTION 14-14-104, C.R.S., CHILD SUPPORT ARREARAGES AS REQUESTED AS PART OF AN ENFORCEMENT ACTION UNDER ARTICLE 5 OF TITLE 14, C.R.S., OR CHILD SUPPORT ARREARAGES THAT ARE THE SUBJECT OF ENFORCEMENT SERVICES PROVIDED UNDER SECTION 26-13-106, C.R.S., for income".

Page 12, strike lines 3 and 4 and substitute the following:

"IN SECTION 14-14-104, C.R.S., CHILD SUPPORT ARREARAGES AS REQUESTED AS PART OF AN ENFORCEMENT ACTION UNDER ARTICLE 5 OF TITLE 14, C.R.S., OR CHILD SUPPORT ARREARAGES THAT ARE THE SUBJECT OF ENFORCEMENT SERVICES PROVIDED UNDER SECTION 26-13-106, C.R.S., INCOME ASSIGNMENTS FOR CHILD SUPPORT".

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

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**HB06-1039** by Representative(s) McFadyen, Larson, Pommer, Ragsdale; also Senator(s) Hagedorn, May R.--Concerning the placement of on-premise advertising devices at comprehensive developments.

Amendment No. 1, Transportation Committee Amendment.  
(Printed in Senate Journal, March 1, page 371 and placed in members' bill files.)

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

**HB06-1035** by Representative(s) Ragsdale, Green, Larson; also Senator(s) May R., Williams-- Concerning motor vehicles required to stop before crossing at grade railroad tracks.

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

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

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

Passed on Second Reading: HB06-1180, HB06-1319, HB06-1187 as amended, HB06-1142, HB06-1104, HB06-1081, HB06-1068 as amended, HB06-1059 as amended, HB06-1039 as amended, HB06-1035.

Laid over to the end of the General Orders -- Second Reading of Bills calendar, Monday, March 6: HB06-1143.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills calendar (SB06-143, SB06-038, HB06-1030) of March 3 was laid over until Monday, March 6, retaining its place on the calendar.

**CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS**

**SB06-056** by Senator(s) Bacon, McElhany, Windels; also Representative(s) McFadyen, Berens, Riesberg--Concerning authority over proposals for construction of capital improvements.

Senator Bacon moved that the Senate concur in House amendments to **SB06-056**, as printed in House Journal, February 28, pages 585-586. The motion was **passed** by the following roll call vote:

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

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS**

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

**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.

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

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Governor's Appointments -- Member of the CollegeInvest Board of Directors of March 3, was laid over until Monday, March 6, retaining its place on the calendar.

**SENATE SERVICES REPORT**

- Correctly Printed:** SB06-200.
- Correctly Engrossed:** SB06-037.
- Correctly Rerevised:** HB06-1048.
- Correctly Enrolled:** SJR06-002, 005, 007, 009, and 010.

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

The President has signed: SJR06-002.

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**COMMITTEE OF REFERENCE REPORTS**

Health &  
Human  
Services

After consideration on the merits, the Committee recommends that **HB06-1265** be referred to the Committee of the Whole with favorable recommendation.

Health &  
Human  
Services

After consideration on the merits, the Committee recommends that **HB06-1054** be referred to the Committee on Appropriations with favorable recommendation.

Health &  
Human  
Services

After consideration on the merits, the Committee recommends that **HB06-1069** be referred to the Committee of the Whole with favorable recommendation.

Health &  
Human  
Services

After consideration on the merits, the Committee recommends that **HB06-1079** be referred to the Committee of the Whole with favorable recommendation.

Health &  
Human  
Services

After consideration on the merits, the Committee recommends that **HB06-1177** be referred to the Committee of the Whole with favorable recommendation.

Health &  
Human  
Services

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

**MEMBERS OF THE  
STATE BOARD OF HUMAN SERVICES**

for a term expiring March 1, 2007:

Gregory A. Etl of Iliff, Colorado, to serve as a representative of county commissioners, appointed.

for a term expiring March 1, 2009:

Jean P. Snoddy of Aurora, Colorado, to fill the vacancy occasioned by the resignation of Shirl McGuire-Belden of Grand Junction, Colorado, and to serve as a member of the public, appointed.

Health &  
Human  
Services

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

**ROCKY MOUNTAIN LOW-LEVEL RADIOACTIVE WASTE BOARD**

for a term expiring at the pleasure of the Governor:

Howard A. Roitman of Denver, Colorado, to serve as a Democrat, appointed.

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Education After consideration on the merits, the Committee recommends that **SB06-030** be postponed indefinitely. 1  
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Education After consideration on the merits, the Committee recommends that **HB06-1093** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar. 4  
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Education After consideration on the merits, the Committee recommends that **HB06-1005** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation. 9  
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Amend reengrossed bill, page 5, line 8, strike "SHALL NOT" and substitute "SHALL:"; 13  
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strike line 9 and substitute the following: 16  
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(a) ESTABLISH ITS FULL-DAY KINDERGARTEN PROGRAM USING EVIDENCE-BASED RESEARCH DEMONSTRATING THE TYPES OF PROGRAMS AND METHODS APPROPRIATE FOR A FULL-DAY KINDERGARTEN PROGRAM; 18  
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(b) NOT LIMIT THE ABILITY OF PARENTS ENROLLING A CHILD IN THE DISTRICT TO ENROLL THE CHILD IN A HALF-DAY KINDERGARTEN PROGRAM; AND 23  
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(c) NOT BE AUTHORIZED TO SERVE CHILDREN THROUGH A FULL-DAY". 27  
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Business, Labor, & Technology The Committee returns herewith Senate Bill 06-166 and reports that said bill has been considered on its merits and voted upon by the committee in accordance with Senate Rules, that the deadline applicable to committees under Joint Rule 23 (a) (1) has passed, that final action has not been taken by this committee within said deadline, and that the Committee on Delayed Bills has not waived said deadline. Pursuant to Joint Rule 23 (a) (3) (A), said bill is deemed to be postponed indefinitely. 32  
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FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON HB06-1215 42  
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THIS REPORT ADOPTS THE REENGROSSED BILL  
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To the President of the Senate and the Speaker of the House of Representatives: 50  
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Your first conference committee appointed on HB06-1215, concerning a supplemental appropriation to the department of education, has met and reports that it has agreed upon the following: 53  
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That the Senate recede from its amendments made to the bill and that the reengrossed bill be adopted without change. 57  
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Respectfully submitted, 60  
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House Committee: Senate Committee:  
(signed) (signed)  
Representative Plant, Chair Senator Tapia, Chair  
Representative Buescher Senator Keller  
Representative Hall Senator Owen 62  
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On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of March 3 was laid over until Monday, March 6, retaining its place on the calendar.

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On motion of Senator Gordon, the Senate adjourned until 10:00 a.m., Monday, March 6, 2006.

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Approved:

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Joan Fitz-Gerald  
President of the Senate

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Attest:

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Karen Goldman  
Secretary of the Senate

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