

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

65th Legislative Day Thursday, March 16, 2006

Prayer	By the chaplain, Pastor Arlyn Tolzmann, Holy Cross Lutheran Church, Wheat Ridge.	1
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Pledge	By students in honor of Liberty Day.	3
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Call to Order	By the President at 10:00 a.m.	5
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Roll Call	Present--33. Excused--2; Keller, Lamborn.	7
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Quorum	The President announced a quorum present.	9
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Reading of Journal	On motion of Senator Teck, reading of the Journal of March 15, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.	11
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RECALL OF HB06-1051

Senator Gordon moved for recall of **HB06-1051** for purpose of reconsideration. A majority of all members elected to the Senate having voted in the affirmative, the motion was declared **adopted**. The bill was ordered recalled.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy	The Committee on <u>Agriculture, Natural Resources, and Energy</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	28
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**MEMBERS OF THE
COLORADO WATER CONSERVATION BOARD**

for terms expiring February 12, 2009:

Eric W. Wilkinson of Greeley, Colorado, to serve as a representative from the South Platte drainage basin and as a Republican, reappointed;

Carl Trick II of Cowdrey, Colorado, to serve as a representative from the North Platte drainage basin and as a Republican, appointed;

Marcus Keith Catlin of Montrose, Colorado, to serve as a representative from the Gunnison-Uncompahgre basin and as a Democrat, reappointed.

Agriculture, Natural Resources, & Energy	The Committee on <u>Agriculture, Natural Resources, and Energy</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	43
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**MEMBERS OF THE
WATER QUALITY CONTROL COMMISSION**

for terms expiring February 15, 2009:

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

Robert T. Sakata of Brighton, Colorado, reappointed;

Jeffrey T. Bedingfield of Greeley, Colorado, reappointed.

Judiciary After consideration on the merits, the Committee recommends that **HJR06-1017** be referred to the Senate for final action.

Judiciary After consideration on the merits, the Committee recommends that **HB06-1123** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 12, strike "SHALL" and substitute "MAY".

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:

MEMBER OF THE
JUVENILE PAROLE BOARD

for a term expiring at the pleasure of the Governor:

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

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB06-1175

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 HB06-1175, concerning enactment of the "Colorado Clean Indoor Air Act", and, in connection therewith, prohibiting smoking in indoor enclosed areas, including places of employment, 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: Senate Committee:
(signed) (signed)
Representative May, Chair Senator Grossman, Chair
Representative Boyd Senator Groff
Representative Pommer Senator Evans

Trans- After consideration on the merits, the Committee recommends that **HB06-1072** be portation amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, line 7, strike "twelve" and substitute "~~twelve~~ SIXTEEN";

line 9, after "THE", insert "CURRENT OR PAST ".

Page 3, line 16, strike "OR" and substitute "AND";

line 17, strike "PLATE." and substitute "PLATE AS DETERMINED BY THE DEPARTMENT.".

Page 4, line 12, strike "July 1," and substitute "January 1, 2007."; strike line 13.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SB06-202** 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 8, strike "ASSISTANT" and substitute "DESIGNEE";

line 11, strike "ASSISTANT" and substitute "DESIGNEE".

Page 6, line 20, after "DETERMINE", insert "UPON ANNUAL REVIEW".

Trans-
portation

After consideration on the merits, the Committee recommends that **HB06-1148** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, strike line 19.

Page 3, strike line 1 and substitute the following:

"(IV) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE DUTY OF A".

Page 4, line 25, strike "RAILROAD; OR" and substitute "RAILROAD, A SANITATION DISTRICT, AS DEFINED IN SECTION 32-1-103 (18), C.R.S., A WATER DISTRICT, AS DEFINED IN SECTION 32-1-103 (25), C.R.S., A WATER AND SANITATION DISTRICT, AS DEFINED IN SECTION 32-1-103 (24), C.R.S., A MUNICIPAL WATER ENTERPRISE, A WATER CONSERVANCY DISTRICT, OR A WATER CONSERVATION DISTRICT; OR".

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB06-1077** be referred to the Committee of the Whole with favorable recommendation.

Health &
Human
Services

After consideration on the merits, the Committee recommends that **SB06-199** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 3, line 8, strike "C.R.S." and substitute "C.R.S., OR WHILE A COUNTY PREPARES AN EXPEDITED PERMANENCY PLAN FOR AN INFANT IN ITS CUSTODY.".

Page 11, line 23, after "each", insert "ADULT WHO IS EIGHTEEN YEARS OF AGE AND OLDER, INCLUDING BUT NOT LIMITED TO THE" and, after "applicant,", insert "ANY";

line 24, after "adult", insert "WHO IS EIGHTEEN YEARS OF AGE AND OLDER".

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Health & Human Services

After consideration on the merits, the Committee recommends that **HB06-1255** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, line 16, strike "sentences" and substitute "~~sentences~~ ORDERS LEGAL CUSTODY OF";

line 17, strike "community placement" and substitute "~~community placement~~ COUNTY DEPARTMENT OF SOCIAL SERVICES".

Page 4, line 5, after "is", insert "IN THE LEGAL CUSTODY OF A COUNTY DEPARTMENT OF SOCIAL SERVICES AND IS";

line 11, strike "under an order of" and substitute "~~under an order of~~ IN".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB06-1212** be referred to the Committee of the Whole with favorable recommendation.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB06-1243** 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 **HB06-1127** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, line 15, strike "WHO" and substitute "WHO, IN ASSOCIATION WITH AN EDUCATIONAL INSTITUTION, AN ORGANIZED COMMUNITY SPORTS PROGRAM OR EVENT, OR A PROFESSIONAL, AMATEUR, OR RECREATIONAL ORGANIZATION OR SPORTS CLUB,".

Page 4, strike lines 5 through 20 and substitute the following:

(I) THE PLANNING, ADMINISTRATION, EVALUATION, AND MODIFICATION OF METHODS FOR PREVENTION AND RISK MANAGEMENT OF INJURIES AND ILLNESSES;

(II) THE IDENTIFICATION AND APPROPRIATE CARE AND REFERRAL OF MEDICAL CONDITIONS AND DISABILITIES ASSOCIATED WITH ATHLETES;

(III) THE RECOGNITION, ASSESSMENT, TREATMENT, MANAGEMENT, AND APPROPRIATE REFERRAL OF INJURIES AND ILLNESSES;

(IV) THE USE OF THERAPEUTIC MODALITIES FOR WHICH THE ATHLETIC TRAINER HAS RECEIVED APPROPRIATE TRAINING AND EDUCATION;

(V) THE USE OF CONDITIONING AND REHABILITATIVE EXERCISE;

(VI) THE USE OF TOPICAL PHARMACOLOGICAL AGENTS, IN CONJUNCTION WITH THE ADMINISTRATION OF THERAPEUTIC MODALITIES AND PURSUANT TO PRESCRIPTIONS ISSUED IN ACCORDANCE WITH THE LAWS OF THIS STATE, FOR WHICH THE ATHLETIC TRAINER HAS RECEIVED APPROPRIATE TRAINING AND EDUCATION;

(VII) THE EDUCATION AND COUNSELING OF ATHLETES CONCERNING THE PREVENTION AND CARE OF INJURIES AND ILLNESSES;

(VIII) THE EDUCATION AND COUNSELING OF THE GENERAL PUBLIC WITH RESPECT TO ATHLETIC TRAINING SERVICES;"

Renumber succeeding subparagraphs accordingly.

Page 4, line 21, strike "INDIVIDUAL RECEIVING" and substitute "ATHLETE

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RECEIVING ATHLETIC TRAINING";

line 23, strike "ORGANIZATION AND ADMINISTRATION" and substitute "PLANNING, ORGANIZATION, ADMINISTRATION, AND EVALUATION".

Page 5, line 3, after "DISEASE", insert "OR CONDITION";

line 5, after "DISEASE", insert "OR CONDITION";

line 7, strike "DISEASE." and substitute "DISEASE OR CONDITION.";

after line 26, insert the following:

"(10) "RESPONSIBLE DIRECTION AND SUPERVISION" MEANS DIRECTION AND SUPERVISION PROVIDED BY A PHYSICIAN, DENTIST, OR LICENSED HEALTH CARE PROFESSIONAL WHO TREATS SPORTS OR MUSCULOSKELETAL INJURIES.".

Page 9, line 6, strike "**exclusions.**" and substitute "**exclusions - special authority for clinical setting.**".

Page 11, after line 7, insert the following:

"(4) A LICENSED ATHLETIC TRAINER MAY PROVIDE ATHLETIC TRAINING SERVICES IN A CLINICAL SETTING TO A PERSON WHO IS NOT AN ATHLETE, AS DEFINED IN SECTION 12-29.7-103 (3), IF THE ATHLETIC TRAINER IS UNDER THE RESPONSIBLE DIRECTION AND SUPERVISION OF A PHYSICIAN, DENTIST, OR LICENSED HEALTH CARE PROFESSIONAL WHO TREATS SPORTS OR MUSCULOSKELETAL INJURIES.".

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **HB06-1196** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

March 15, 2006

Madame President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1368, 1370, 1372, 1374.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1193, amended as printed in House Journal, March 14, pages 742-744.

HB06-1369, amended as printed in House Journal, March 14, page 744.

HB06-1371, amended as printed in House Journal, March 14, page 744.

HB06-1373, amended as printed in House Journal, March 14, page 745.

HB06-1275, amended as printed in House Journal, March 14, page 745.

March 15, 2006

Madame President:

The House has postponed indefinitely SB06-087. The bill is returned herewith.

March 16, 2006

Madame President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1060.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1201, amended as printed in House Journal, March 15, pages 751-752.

HB06-1310, amended as printed in House Journal, March 15, page 752.

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The House has passed on Third Reading and returns herewith SB06-108.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB06-121, amended as printed in House Journal, March 15, page 750.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB06-134, amended as printed in House Journal, March 15, pages 750-751, and amended on Third Reading as printed in House Journal, March 16.

MESSAGE FROM THE REVISOR OF STATUTES

March 15, 2006

We herewith transmit:

Without comment, HB06-1368, 1370, 1372, and 1374.

Without comment, as amended, HB06-1193, 1275, 1369, 1371, and 1373.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR06-015 by Senator(s) Jones, Williams, Shaffer; also Representative(s) Merrifield, Solano, Hefley-- Concerning young children with challenging behaviors.

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

INTRODUCTION OF BILLS -- FIRST READING

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

HB06-1193 by Representative(s) Carroll M., Borodkin, Cerbo, Weissmann; also Senator(s) Hagedorn-- Concerning protection for all health care workers who report patient safety information. Health and Human Services

HB06-1275 by Representative(s) McKinley, Butcher, Gallegos, Gardner; also Senator(s) Brophy-- Concerning the determination of the actual value for property tax purposes of property used to generate electricity from wind. Finance

HB06-1368 by Representative(s) Plant, Buescher, Hall; also Senator(s) Tapia, Keller, Owen-- Concerning a supplemental appropriation to the department of education. Appropriations

HB06-1369 by Representative(s) Plant, Buescher, Hall; also Senator(s) Tapia, Keller, Owen-- Concerning a supplemental appropriation to the department of health care policy and financing. Appropriations

HB06-1370 by Representative(s) Plant, Buescher, Hall; also Senator(s) Tapia, Keller, Owen-- Concerning a supplemental appropriation to the department of higher education. Appropriations

HB06-1371 by Representative(s) Plant, Buescher, Hall; also Senator(s) Tapia, Keller, Owen-- Concerning a supplemental appropriation to the department of human services. Appropriations

HB06-1372 by Representative(s) Plant, Buescher, Hall; also Senator(s) Tapia, Keller, Owen-- Concerning a supplemental appropriation to the department of public health and environment. Appropriations

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HB06-1373 by Representative(s) Buescher, Hall, Plant; also Senator(s) Tapia, Keller, Owen--
Concerning construction of improvements at the Colorado mental health institute in Pueblo,
and making an appropriation therefor.
Appropriations

HB06-1374 by Representative(s) Plant, Buescher, Hall; also Senator(s) Tapia, Keller, Owen--
Concerning the funding of public school capital construction, and, in connection therewith,
making appropriations to fund public school capital construction for the 2005-06 fiscal year.
Appropriations

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:

HB06-1141 by Representative(s) Hall, Massey; also Senator(s) Grossman--Concerning the authorization
of affiliated business arrangements relating to title insurance.

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	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	E	Spence	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	E	Tapia	Y	Windels	Y
Grossman	Y	May R.	Y	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: May R.

HB06-1084 by Representative(s) Liston; also Senator(s) Kester--Concerning illegal speeding activities
involving motor vehicles.

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

Third Reading Amendment No. 1(L.006), by Senator Teck.

Amend revised bill, page 3, line 8, strike "REVVING";

line 9, strike "THE ENGINE OF A MOTOR VEHICLE,".

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	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	E	Spence	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	E	Tapia	Y	Windels	Y
Grossman	Y	May R.	Y	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**.

HB06-1080 by Representative(s) Carroll T.; also Senator(s) Grossman--Concerning authorizing forensically trained doctoral level mental health professionals to conduct competency examinations for adults charged with crimes.

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	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	E	Spence	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	E	Tapia	Y	Windels	Y
Grossman	Y	May R.	Y	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: Evans, Groff, Hanna and Williams.

HB06-1204 by Representative(s) McKinley, Gallegos, Hodge; also Senator(s) Taylor--Concerning the regulation of persons working in coal mines, and, in connection therewith, continuing the coal mine board of examiners.

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	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	E	Spence	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	E	Tapia	Y	Windels	Y
Grossman	Y	May R.	Y	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: Entz and Evans.

HB06-1195 by Representative(s) Gallegos; also Senator(s) Traylor--Concerning the length of suspension from work for state-employed supervisors who fail to annually evaluate subordinate employees in the state personnel system.

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

YES	32	NO	1	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	E	Spence	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	E	Tapia	Y	Windels	Y
Grossman	Y	May R.	N	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: Mitchell and Spence.

HB06-1239 by Representative(s) Hoppe; also Senator(s) Isgar--Concerning continuation of the "Pesticide Applicators' Act".

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

YES	32	NO	1	EXCUSED	2	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	Y	Tochtrop	Y
Brophy	N	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	E	Spence	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	E	Tapia	Y	Windels	Y
Grossman	Y	May R.	Y	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: Entz and Taylor.

SB06-188 by Senator(s) Evans; also Representative(s) Hodge--Concerning the central filing of an effective financing statement, and making an appropriation therefor.

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	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	E	Spence	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	E	Tapia	Y	Windels	Y
Grossman	Y	May R.	Y	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**.

SB06-194 by Senator(s) Tochtrop; also Representative(s) McFadyen--Concerning the authority of the wildlife commission to issue youth hunting licenses.

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	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	E	Spence	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	N	Lamborn	E	Tapia	Y	Windels	Y
Grossman	N	May R.	Y	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: Brophy, Dyer and Taylor.

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 (HB06-1041, SB06-195) of March 16 was laid over until Friday, March 17, retaining its place on the calendar.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, HB06-1095 was advanced to the beginning of the General Orders -- Second Reading of Bills calendar.

HB06-1095 by Representative(s) Weissmann, Garcia, Marshall; also Senator(s) Hanna, Groff, Takis-- Concerning a preference for the purchase of environmentally preferable products by governmental entities.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, March 8, page 430 and placed in members' bill files.)

Amendment No. 2(L.008), by Senator Hanna.

Amend the Finance Committee Report, dated March 7, 2006, page 1, line 1, strike ""NOT"." and substitute ""NOT";";

after line 1, insert the following:

"strike lines 24 through 27 and substitute the following:

"PERCENT."

Page 4, strike lines 1 through 3;

after line 11 insert the following:

"(4) IF THE BID OR QUOTED PRICE FOR ENVIRONMENTALLY PREFERABLE PRODUCTS EXCEEDS THE BID OR QUOTED PRICE FOR PRODUCTS THAT ARE NOT ENVIRONMENTALLY PREFERABLE BY MORE THAN FIVE PERCENT, A GOVERNMENTAL BODY MAY AWARD THE CONTRACT TO A BIDDER WHO OFFERS ENVIRONMENTALLY PREFERABLE PRODUCTS WHERE THE GOVERNMENTAL BODY DEMONSTRATES, ON THE BASIS OF A LIFE-CYCLE COST ANALYSIS, THAT LONG-TERM SAVINGS TO THE STATE WILL RESULT FROM ENVIRONMENTALLY PREFERABLE PURCHASING IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION. NOTHING IN THIS SECTION SHALL REQUIRE THAT A GOVERNMENTAL BODY PERFORM A LIFE-CYCLE COST ANALYSIS IN CONNECTION WITH THE PURCHASE OF ANY PRODUCTS."

Renumber succeeding subsections accordingly."

line 2, strike "Page 4," and strike the second ""(4)" and substitute ""(5)".

Page 2, line 3, strike "(4)." and substitute "(5).";

line 6, strike "(4)" and substitute "(5)";

after line 8, insert the following:

"line 25, strike "PARAGRAPH (d) OF SUBSECTION (3)" and substitute "SUBSECTION (4)";".

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.
(For further action, see Amendments to the Report of the Committee of the Whole.)

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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 General Orders -- Second Reading of Bills Calendar (SB06-172, SB06-058, SB06-120, HB06-1318, SB06-035, SB06-196, HB06-1320, HB06-1287, SB06-205, SB06-203, SB06-192, SB06-152, HB06-1174 as amended, SB06-204, SB06-143, SB06-002, SCR06-003, SB06-064, SB06-063, HB06-1010, HB06-1137, HB06-1119, HB06-1122, SB06-109) of March 16, was laid over until Friday, March 17, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB06-1095 by Representative(s) Weissmann, Garcia, Marshall; also Senator(s) Hanna, Groff, Takis-- Concerning a preference for the purchase of environmentally preferable products by governmental entities.

Senator Gordon moved to amend the Report of the Committee of the Whole to show that HB 06-1095, as amended, was laid over to the general orders calendar of March 17, 2006, retaining its place on the calendar.

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the Report of the Committee of the Whole was declared PASSED.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Groff, 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:

Laid over until Friday, March 17: SB06-172, SB06-058, SB06-120, HB06-1318, SB06-035, SB06-196, HB06-1320, HB06-1287, SB06-205, SB06-203, SB06-192, SB06-152, HB06-1174 as amended, SB06-204, SB06-143, SB06-002, SCR06-003, SB06-064, SB06-063, HB06-1010, HB06-1137, HB06-1119, HB06-1122, SB06-109, HB06-1095 as amended.

CONSIDERATION OF RESOLUTIONS

SJR06-013 by Senator(s) Hanna; also Representative(s) Kerr--Concerning the promotion of suicide education programs in higher education.

On motion of Senator Hanna, the resolution was read at length and **adopted** 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	E	Spence	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	E	Tapia	Y	Windels	Y
Grossman	Y	May R.	Y	Taylor	Y	President	Y
Hagedorn	Y	McElhany	Y	Teck	Y		

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

COMMITTEE OF REFERENCE REPORTS

Education After consideration on the merits, the Committee recommends that **HB06-1056** be referred to the Committee of the Whole with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **HB06-1121** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 4, after "**service**", insert "**and service-learning**";

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

after line 17, insert the following:

"(IV) SERVICE-LEARNING IS AN EFFECTIVE TEACHING METHOD THAT GIVES STUDENTS THE OPPORTUNITY TO APPLY CURRICULAR KNOWLEDGE AND SKILLS WHILE SERVING THE COMMUNITY, THEREBY REINFORCING THE CONTENT STANDARDS APPLICABLE TO MANY SUBJECTS.";

line 21, strike "VOLUNTEER" and substitute "COMMUNITY SERVICE AND SERVICE-LEARNING";

line 22, strike "VOLUNTEERISM" and substitute "COMMUNITY SERVICE AND SERVICE-LEARNING".

Page 3, strike lines 1 through 27.

Page 4, strike lines 1 through 13 and substitute the following:

"(2) EACH SCHOOL DISTRICT SHALL CONSIDER AND, IF THE SCHOOL DISTRICT BOARD OF EDUCATION DEEMS IT APPROPRIATE, ADOPT A POLICY TO ENCOURAGE STUDENTS TO ENGAGE IN COMMUNITY SERVICE OR SERVICE-LEARNING AND TO RECOGNIZE STUDENTS' CONTRIBUTIONS TO THEIR COMMUNITIES THROUGH COMMUNITY SERVICE OR SERVICE-LEARNING. PURSUANT TO THE POLICY, A STUDENT WHO SUCCESSFULLY MEETS THE COMMUNITY SERVICE OR SERVICE-LEARNING PROGRAM GOALS, AS SPECIFIED IN THE POLICY, MAY EARN RECOGNITION IN THE MANNER DESCRIBED IN THE POLICY. THE POLICY SHOULD SPECIFY THE MANNER IN WHICH RECOGNITION OF SERVICE MAY BE REFLECTED ON A STUDENT'S DIPLOMA OR TRANSCRIPT AS AN INDICATION OF THE STUDENT'S COMMITMENT TO SERVICE WITHIN THE COMMUNITY.".

MESSAGE FROM THE HOUSE

March 16, 2006
Madame President:

The House has adopted the First Report of the First Conference Committee on HB06-1215, as printed in House Journal, March 10, page 713, and has repassed the bill as amended.

March 16, 2006
Madame President:

In response to the request of the Senate for the recall of HB06-1051, the bill is transmitted herewith.

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SENATE SERVICES REPORT

Correctly Engrossed: SB06-188, and 194.
Correctly Reengrossed: SB06-052.
Correctly Revised: HB06-1080, 1084, 1141, 1195, 1204, and 1239.
Correctly Rerevised: HB06-1098, 1118, 1191, 1207, 1210, 1328, and 1340.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB06-1031, 1040, 1069, 1079, 1177, 1187, 1265.

MESSAGE FROM THE REVISOR OF STATUTES

March 16, 2006

We herewith transmit:

Without comment, HB06-1060.
 Without comment, as amended, HB06-1201 and 1310.
 Without comment, as amended, SB06-121 and 134.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

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.

Senator Grossman moved for the adoption of the First Report of the First Conference Committee on **HB06-1175**, as printed in Senate Journal, March 16, page 508. The motion was **adopted** by the following roll call vote:

YES	19	NO	15	EXCUSED	1	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	N	Tochtrop	N
Brophy	N	Isgar	Y	Owen	N	Traylor	N
Dyer	N	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	N	Jones	N	Shaffer	Y	Veiga	Y
Evans	Y	Keller	Y	Spence	N	Wiens	Y
Gordon	Y	Kester	N	Takis	N	Williams	Y
Groff	Y	Lamborn	E	Tapia	Y	Windels	Y
Grossman	Y	May R.	N	Taylor	N	President	Y
Hagedorn	Y	McElhany	N	Teck	N		

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

YES	19	NO	15	EXCUSED	1	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	N	Tochtrop	N
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	N	Williams	Y
Groff	Y	Lamborn	E	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, as amended, was declared **repassed**.

Co-sponsors added: Veiga and Williams.

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 16 was laid over until Friday, March 17, retaining its place on the calendar.

Consideration of Resolutions: HJR06-1013.

Consideration of Memorials: SJM06-001.

Consideration of House Amendments to Senate Bills: SB06-062, SB06-057, SB06-118, SB06-097.

Consideration of Governor's Appointments:

Member of the Oil and Gas Conservation Commission of the State of Colorado.

Members of the Colorado Board of Veterans Affairs.

Members of the State Agricultural Commission.

Members of the Colorado Health Facilities Authority Board of Directors.

Member of the Private Occupational School Board.

Members of the Board of Real Estate Appraisers.

Members of the Securities Board.

On motion of Senator Gordon, the Senate adjourned until 9:00 a.m., Friday, March 17, 2006.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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