

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

85th Legislative Day

Wednesday, April 5, 2006

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

Pledge By Senator Grossman.

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

Roll Call Present--33.
Absent--1; Tupa.
Excused--1; Groff.
Present later--Groff, Tupa.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Hagedorn, reading of the Journal of April 5, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.

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

SPECIAL 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, SB06-198, SB06-206, SB06-207 were advanced to the beginning of the Special Orders -- Second Reading of Bills calendar.

SB06-198 by Senator(s) Johnson, Bacon, Dyer, Entz, Evans, Fitz-Gerald, Groff, Grossman, Hagedorn, Hanna, Isgar, Keller, Kester, Owen, Sandoval, Shaffer, Spence, Tapia, Teck, Tochtrop, Traylor, Williams, Windels; also Representative(s) Romanoff, Madden, Benefield, Berens, Boyd, Carroll M., Carroll T., Cerbo, Cloer, Coleman, Decker, Frangas, Gallegos, Garcia, Green, Hodge, Jahn, Kerr, King, Larson, Liston, McGihon, McKinley, Paccione, Pommer, Ragsdale, Riesberg, Rose, Solano, Soper, Stafford, Stengel, Sullivan, Todd, Vigil, Weissmann--Concerning contractual agreements with health care providers to provide health care services.

Laid over until Thursday, April 6, retaining its place on the calendar.

SB06-206 by Senator(s) Groff, Grossman, Shaffer; also Representative(s) Green--Concerning a prohibition on the smuggling of humans into Colorado, and making an appropriation in connection therewith.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 21, page 568 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 31, pages 718-719 and placed in members' bill files.)

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Amendment No. 3(L.011), by Senator Groff.

Amend the Senate Judiciary Report, dated March 20, 2006, page 1, strike line 5 and substitute the following:

"HUMANS IF, FOR THE PURPOSE OF EVADING IMMIGRATION LAWS, HE OR SHE FACILITATES OR ATTEMPTS TO FACILITATE THE";

strike line 8 and substitute the following:

"STATES.";"

As amended, ordered engrossed 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.)

SB06-207 by Senator(s) Groff, Grossman, Shaffer; also Representative(s) Borodkin--Concerning a prohibition against trafficking in humans, and making an appropriation in connection therewith.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, March 31, pages 719-720 and placed in members' bill files.)

As amended, ordered engrossed 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.)

SB06-122 by Senator(s) Traylor; also Representative(s) Weissmann--Concerning creation of the adolescent substance abuse prevention and treatment fund.

Laid over until Thursday, April 6, retaining its place on the calendar.

SB06-045 by Senator(s) Williams, Jones; also Representative(s) Solano, Hefley, Merrifield--Concerning the investigation of child care providers.

Laid over until Thursday, April 6, retaining its place on the calendar.

SB06-173 by Senator(s) Entz, Isgar; also Representative(s) Marshall--Concerning mileage allowances for state officers and employees.

Amendment No. 1, Finance Committee Amendment.

(Printed in Senate Journal, February 15, page 204 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, March 31, page 716 and placed in members' bill files.)

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

(For further action, see Roll Call vote on **SB06-173**.)

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB06-206 by Senator(s) Groff, Grossman, Shaffer; also Representative(s) Green--Concerning a prohibition on the smuggling of humans into Colorado, and making an appropriation in connection therewith.

Senator McElhany moved to amend the Report of the Committee of the Whole to show that the following McElhany floor amendment, (L.012) to SB 06-206, did pass.

Amend the Senate Judiciary Report, dated March 20, 2006, page 1, strike lines 5 through 8 and substitute the following:

"HUMANS IF:

(a) FOR THE PURPOSE OF EVADING IMMIGRATION LAWS, HE OR SHE FACILITATES OR ATTEMPTS TO FACILITATE THE TRANSPORTATION WITHIN THIS STATE OF A PERSON THAT HE OR SHE KNOWS OR REASONABLY SHOULD KNOW IS ILLEGALLY PRESENT IN THE UNITED STATES; OR

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(b) HE OR SHE HARBORS A PERSON THAT HE OR SHE KNOWS OR REASONABLY SHOULD KNOW IS:

(I) ILLEGALLY PRESENT IN THE UNITED STATES; AND

(II) BEING TRANSPORTED WITHIN THIS STATE BY ANOTHER PERSON IN VIOLATION OF PARAGRAPH (a) OF THIS SUBSECTION (1).".

The amendment to the Report of the Committee of the Whole was declared LOST on the following roll call vote:

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

SB06-207 by Senator(s) Groff, Grossman, Shaffer; also Representative(s) Borodkin--Concerning a prohibition against trafficking in humans, and making an appropriation in connection therewith.

Senator McElhany moved to amend the Report of the Committee of the Whole to show that the following floor amendment to SB 06-207 did pass.

Amend printed bill, page 2, strike line 11 and substitute the following:

"(3) TRAFFICKING IN ADULTS IS A CLASS 3 FELONY UNLESS THE ADULT OR ADULTS WHO HAVE BEEN TRAFFICKED ARE ILLEGALLY PRESENT IN THE UNITED STATES, IN WHICH CASE TRAFFICKING IN ADULTS IS A CLASS 2 FELONY.".

The amendment to the Report of the Committee of the Whole was declared PASSED on the following roll call vote:

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

SB06-173 by Senator(s) Entz, Isgar; also Representative(s) Marshall--Concerning mileage allowances for state officers and employees.

SB06-173 was declared PASSED on the following roll call vote:

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Passed on Second Reading: SB06-206 as amended, SB06-207 as amended, SB06-173 as amended.

Laid over to the Special Orders -- Second Reading of Bills calender, Thursday, April 6: SB06-198, SB06-122, SB06-045.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills -- Final Passage -- Consent Calendar (SB06-211, HB06-1351, SB06-215) of April 5 was laid over until Thursday, April 6, retaining its place on the calendar.

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:

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

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

Call of the Senate. Call raised.

Third Reading Amendment No. 1(L.095), by Senator Spence.

Amend revised bill, page 71, after line 10, insert the following:

"SECTION 53. 22-54-124 (1) (c), (1) (c.5), and (3) (a) (III) (A), Colorado Revised Statutes, are amended to read:

22-54-124. State aid for charter schools - use of state education fund moneys. (1) As used in this section:

(c) "District's certified charter school pupil enrollment" means the total number of pupils who are not on-line pupils, as defined in ~~section 22-30.5-103 (1) (b.5)~~ SECTION 22-30.5-103 (6), expected to be enrolled in all qualified charter schools that will receive funding from the district pursuant to section 22-30.5-112 for the budget year for which state education fund moneys are to be appropriated and distributed pursuant to subsection (4) of this section, as certified by the department of education pursuant to paragraph (b) of subsection (3) of this section during the budget year that immediately precedes said budget year.

(c.5) "Institute charter school's certified pupil enrollment" means the total number of pupils who are not on-line pupils, as defined in ~~section 22-30.5-502 (7)~~ SECTION 22-30.5-502 (9), expected to be enrolled in a qualified institute charter school that will receive funding pursuant to section 22-30.5-513 for the budget year for which state education fund moneys are to be appropriated and distributed pursuant to subsection (4) of this section, as certified by the department of education pursuant to paragraph (b) of subsection (3) of this section during the budget year that immediately precedes said budget year.

(3) (a) (III) (A) The total amount of state education fund moneys to be appropriated for all eligible districts and for all eligible institute charter schools for ~~the 2003-04~~ THE 2003-04, 2004-05, AND 2005-06

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~~budget year and each budget year thereafter~~ YEARS shall be an amount equal to five million dollars. FOR THE 2006-07 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, SEVEN MILLION EIGHT HUNDRED THOUSAND DOLLARS SHALL BE APPROPRIATED FOR ALL ELIGIBLE DISTRICTS AND FOR ALL ELIGIBLE INSTITUTE CHARTER SCHOOLS FROM THE STATE EDUCATION FUND."

Renumber succeeding sections accordingly.

Page 84, after line 6, insert the following:

"(h) The state education fund appropriation for assistance to public schools, grant programs and other distributions, charter school capital construction, is increased by two million eight hundred thousand dollars (\$2,800,000)."

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

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

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. 2(L.097), by Senator Tochtrop.

Amend revised bill, page 36, line 14, after "MUNICIPALITIES," insert "COUNTIES, SPECIAL DISTRICTS,".

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

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

Third Reading Amendment No. 3(L.098), by Senator Spence.

Amend revised bill, page 18, strike lines 9 through 27.

Strike pages 19 and 20.

Page 21, strike lines 1 through 5.

Renumber succeeding sections accordingly.

The amendment was declared **LOST** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Bacon	N	Hagedorn	N	Mitchell	Y	Tochtrop	N
Boyd	N	Isgar	N	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	N	Tupa	N
Dyer	Y	Jones	Y	Shaffer	N	Veiga	N
Entz	N	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	N	Takis	N	Williams	N
Gordon	N	Lamborn	Y	Tapia	N	Windels	N
Groff	N	May R.	Y	Taylor	Y	President	N
Grossman	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. 4(L.099), by Senator McElhany.

Amend revised bill, page 71, after line 10, insert the following:

"SECTION 53. Part 1 of article 2 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

22-2-128. Denial of grants - schools prohibiting patriotic displays. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE STATE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION SHALL NOT AWARD ANY TYPE OF GRANT OF STATE FUNDS FOR ANY PURPOSE TO A SCHOOL THAT PROHIBITS STUDENTS FROM DISPLAYING OR WEARING IN A RESPECTFUL MANNER A REPRESENTATION OF THE AMERICAN FLAG OR COLORS REPRESENTING THE UNITED STATES OF AMERICA. THIS SECTION SHALL NOT APPLY TO A SCHOOL THAT REQUIRES ITS STUDENTS TO WEAR A UNIFORM."

Renumber succeeding sections accordingly.

Senate in recess. Senate reconvened.

The Third Reading Amendment No. 4(L.099), by Senator McElhany. was declared PASSED on the following roll call vote:

YES	28	NO	3	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	*	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	*	Tupa	N
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	*	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	*	Windels	Y
Groff	N	May R.	Y	Taylor	Y	President	Y
Grossman	N	McElhany	Y	Teck	Y		

* Present but refusing to vote under Senate Rule 17(d).

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	N
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	N	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	N	Teck	N		

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

Co-sponsors added: Bacon, Keller, Tupa and Williams.

IMMEDIATE RECONSIDERATION OF HB06-1375

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

Having voted on the prevailing side, Senator Wiens moved for immediate reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on HB06-1375.

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

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:

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

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

YES	23	NO	12	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	N
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	N	Wiens	N
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	N	Teck	N		

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

Co-sponsors added: Gordon.

HB06-1377 by Representative(s) Madden, May M., Romanoff; also Senator(s) Gordon, Fitz-Gerald, McElhany--Concerning payment of expenses of the legislative department, and making an appropriation in connection therewith.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

On motion of Senator Gordon, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB06-1385, HB06-1386, HB06-1193, HB06-1338 were made Special Orders at 2:20 p.m.

Committee of the Whole The hour of 2:20 p.m. having arrived, Senator Grossman moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Grossman was called to the Chair to act as Chairman.

SPECIAL 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:

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

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 4, pages 735-736 and placed in members' bill files.)

Amendment No. 2(J.097), by Senators Tapia, Keller, and Owen.

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

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

Adjust affected totals accordingly.

Page 452, line 13, in the ITEM & SUBTOTAL column, strike "1,558,639" and substitute "1,514,436" and, in the GENERAL FUND column, strike "959,807" and substitute "915,604";

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

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

Adjust affected totals accordingly.

Amendment No. 3(J.104), by Senator Tapia.

Amend reengrossed bill, page 62, line 10, in the ITEM & SUBTOTAL column, strike "1,308,453" and substitute "1,508,453" and, in the GENERAL FUND column, strike "1,308,453" and substitute "1,508,453";

line 14, in the ITEM & SUBTOTAL column, strike "227,124" and substitute "277,124" and, in the GENERAL FUND column, strike "227,124" and substitute "277,124".

Adjust affected totals accordingly.

Page 147, line 15, in the ITEM & SUBTOTAL column, strike "9,685,902" and substitute "9,435,902" and, in the GENERAL FUND column, strike "9,685,902" and substitute "9,435,902".

Adjust affected totals accordingly.

Amendment No. 4(J.106), by Senators Tapia, Keller and Owen.

Amend reengrossed bill, page 66, line 5, in the GENERAL FUND column, strike "2,381,216,720" and substitute "2,389,041,259" and, in the CASH FUNDS EXEMPT column, strike "387,387,436" and substitute "379,562,897".

Adjust affected totals accordingly.

Page 67, line 1, strike "\$314,290,321" and substitute "\$306,465,782".

Page 137, strike lines 7 and 8.

Adjust affected totals accordingly.

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Page 139, line 11, in the ITEM & SUBTOTAL column, strike "268,353,884" and substitute "261,628,884" and, in the GENERAL FUND column, strike "268,353,884" and substitute "261,628,884".

Adjust affected totals accordingly.

Page 140, line 2, in the ITEM & SUBTOTAL column, strike "19,104,365" and substitute "19,022,617" and, in the CASH FUNDS EXEMPT column, strike "19,104,365" and substitute "19,022,617";

line 5, strike "\$12,644,160(T)" and substitute "\$12,562,412(T)";

line 7, strike "\$8,745,780" and substitute "\$8,664,032".

Adjust affected totals and affected (T) notation totals accordingly.

Page 140, line 10, in the ITEM & SUBTOTAL column, strike "40,976,485" and substitute "40,740,708" and, in the CASH FUNDS EXEMPT column, strike "40,976,485" and substitute "40,740,708";

line 13, strike "\$20,868,413(T)" and substitute "\$20,632,636(T)";

line 15, strike "\$9,624,773" and substitute "\$9,388,996".

Adjust affected totals and affected (T) notation totals accordingly.

Page 141, line 3, in the ITEM & SUBTOTAL column, strike "86,716,357" and substitute "85,940,425" and, in the CASH FUNDS EXEMPT column, strike "86,716,357" and substitute "85,940,425";

line 6, strike "\$41,941,847(T)" and substitute "\$41,165,915(T)";

line 8, strike "\$4,939,487" and substitute "\$4,163,555".

Adjust affected totals and affected (T) notation totals accordingly.

Page 141, line 11, in the ITEM & SUBTOTAL column, strike "19,833,236" and substitute "19,751,596" and, in the CASH FUNDS EXEMPT column, strike "19,833,236" and substitute "19,751,596".

Page 142, line 1, strike "\$10,552,420(T)" and substitute "\$10,470,780(T)";

line 3, strike "\$6,659,200" and substitute "\$6,577,560".

Adjust affected totals and affected (T) notation totals accordingly.

Page 142, line 7, in the ITEM & SUBTOTAL column, strike "294,231,343" and substitute "293,191,717" and, in the CASH FUNDS EXEMPT column, strike "294,231,343" and substitute "293,191,717";

line 10, strike "\$124,403,819(T)" and substitute "\$123,364,193(T)";

line 13, strike "\$74,826,539" and substitute "\$73,786,913".

Adjust affected totals and affected (T) notation totals accordingly.

Page 143, line 2, in the ITEM & SUBTOTAL column, strike "34,489,133" and substitute "34,349,658" and, in the CASH FUNDS EXEMPT column, strike "34,489,133" and substitute "34,349,658";

line 5, strike "\$10,885,268(T)" and substitute "\$10,745,793(T)";

line 8, strike "\$4,234,028" and substitute "\$4,094,553".

Adjust affected totals and affected (T) notation totals accordingly.

Page 143, line 11, in the ITEM & SUBTOTAL column, strike "656,203,190" and substitute "654,674,913" and, in the CASH FUNDS EXEMPT column, strike "656,203,190" and substitute "654,674,913".

Page 144, line 1, strike "\$184,923,669(T)" and substitute "\$183,395,392(T)";

line 4, strike "\$112,043,829" and substitute "\$110,515,552".

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Adjust affected totals and affected (T) notation totals accordingly.

Page 144, line 7, in the ITEM & SUBTOTAL column, strike "62,291,610" and substitute "62,145,318" and, in the CASH FUNDS EXEMPT column, strike "62,291,610" and substitute "62,145,318";

line 10, strike "\$20,189,649(T)" and substitute "\$20,043,357(T)";

line 13, strike "\$13,213,329" and substitute "\$13,067,037".

Adjust affected totals and affected (T) notation totals accordingly.

Page 145, line 2, in the ITEM & SUBTOTAL column, strike "90,214,702" and substitute "89,730,758" and, in the CASH FUNDS EXEMPT column, strike "90,214,702" and substitute "89,730,758";

line 5, strike "\$38,432,955(T)" and substitute "\$37,949,011(T)";

line 7, strike "\$15,354,855" and substitute "\$14,870,911".

Adjust affected totals and affected (T) notation totals accordingly.

Page 145, line 13, in the ITEM & SUBTOTAL column, strike "242,774,799" and substitute "240,562,510" and, in the CASH FUNDS EXEMPT column, strike "242,774,799" and substitute "240,562,510".

Page 146, line 1, strike "\$124,210,844(T)" and substitute "\$121,998,555(T)";

line 3, strike "\$18,712,064" and substitute "\$16,499,775".

Adjust affected totals and affected (T) notation totals accordingly.

Page 146, line 10, in the TOTAL column, strike "13,743,051" and substitute "13,668,051" and, in the GENERAL FUND column, strike "13,743,051" and substitute "13,668,051".

Adjust affected totals accordingly.

Page 147, line 15, in the ITEM & SUBTOTAL column, strike "9,685,902" and substitute "9,285,902" and, in the GENERAL FUND column, strike "9,685,902" and substitute "9,285,902".

Adjust affected totals accordingly.

Page 155, strike lines 9 through 14.

Amendment No. 5(J.105), by Senators Tapia, Keller and Owen.

Amend reengrossed bill, page 70, strike lines 6 through 9.

Adjust affected totals accordingly.

Page 73, strike line 1.

Amendment No. 6(J.125), by Senators Tapia, Keller and Owen.

Amend reengrossed bill, page 97, line 4, strike "OFFICE^{20, 20a, 20b}" and substitute "OFFICE^{20, 20a}".

Page 126, strike lines 9 through 15.

Amendment No. 7(J.124), by Senators Tapia, Keller, and Owen.

Amend reengrossed bill, page 97, line 4, strike "OFFICE^{20, 20a, 20b}" and substitute "OFFICE^{20, 20b}".

Page 126, strike lines 4 through 7.

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Amendment No. 8(J.130), by Senators Tapia, Keller, Owen and Teck.

Amend reengrossed bill, page 97, line 5, in the ITEM & SUBTOTAL column, strike "15,711,618" and substitute "15,154,208", in the GENERAL FUND column, strike "6,693,039(M)" and substitute "6,414,334(M)", and, in the FEDERAL FUNDS column, strike "8,537,204" and substitute "8,258,499";

line 6, in the ITEM & SUBTOTAL column, strike "(236.7 FTE)" and substitute "(222.7 FTE)";

line 14, in the ITEM & SUBTOTAL column, strike "1,141,199" and substitute "1,002,013", in the GENERAL FUND column, strike "555,470(M)" and substitute "485,877(M)", and, in the FEDERAL FUNDS column, strike "573,259" and substitute "503,666".

Page 98, line 5, in the ITEM & SUBTOTAL column, strike "590,534" and substitute "540,855", in the GENERAL FUND column, strike "295,268(M)" and substitute "270,428(M)", and, in the FEDERAL FUNDS column, strike "295,266" and substitute "270,427";

line 13, in the ITEM & SUBTOTAL column, strike "81,010" and substitute "49,510", in the GENERAL FUND column, strike "35,005(M)" and substitute "19,255(M)", and, in the FEDERAL FUNDS column, strike "40,505" and substitute "24,755".

Page 99, line 3, in the ITEM & SUBTOTAL column, strike "23,057,392" and substitute "23,012,942", in the GENERAL FUND column, strike "5,472,317(M)" and substitute "5,461,205(M)", and, in the FEDERAL FUNDS column, strike "16,973,535" and substitute "16,940,197".

Adjust affected totals accordingly.

Page 118, line 5, in the ITEM & SUBTOTAL column, strike "6,758,579" and substitute "7,599,713", in the GENERAL FUND column, strike "3,101,300(M)" and substitute "3,501,300(M)", in the CASH FUNDS EXEMPT column, strike "534,559^{am}" and substitute "572,931^{am}", and, in the FEDERAL FUNDS column, strike "3,122,720" and substitute "3,525,482".

Adjust affected totals accordingly.

Page 118, line 12, strike "\$373,212" and substitute "\$408,266";

line 13, strike "\$35,619(T)" and substitute "\$38,937(T)".

Adjust affected (T) notation totals accordingly.

Page 163, line 14, in the ITEM & SUBTOTAL column, strike "20,822,247" and substitute "21,663,381" and in the CASH FUNDS EXEMPT column, strike "6,758,580(T)^{am}" and substitute "7,599,714(T)^{am}".

Adjust affected totals and affected (T) notation totals accordingly.

Page 165, line 13, strike "\$4,939,976" and substitute "\$5,572,185" and strike "\$1,053,434" and substitute "\$1,175,146";

line 14, strike "\$691,158" and substitute "\$778,371".

Amendment No. 9(J.131), by Senators Tapia, Keller, Owen and Teck.

Amend reengrossed bill, page 106, line 6, strike "\$18,830.53" and substitute "\$18,923.35" and, in the ITEM & SUBTOTAL column, strike "697,407,380" and substitute "700,845,105";

line 12, strike "\$13,222.23" and substitute "\$13,290.53" and, in the ITEM & SUBTOTAL column, strike "82,519,943" and substitute "82,946,201".

Page 107, line 7, strike "\$947.51" and substitute "\$952.10" and, in the ITEM & SUBTOTAL column, strike "11,910,152" and substitute "11,967,854";

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line 12, strike "\$11,601.48" and substitute "\$11,661.05" and, in the ITEM & SUBTOTAL column, strike "562,057,028" and substitute "564,942,719";

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line 16, strike "\$3,730.54" and substitute "\$3,746.06" and, in the ITEM & SUBTOTAL column, strike "235,497,912" and substitute "236,477,609".

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Page 108, line 3, strike "\$7,718.87" and substitute "\$7,761.05" and, in the ITEM & SUBTOTAL column, strike "37,745,270" and substitute "37,951,534";

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line 7, strike "\$22,849.69" and substitute "\$22,908.68" and, in the ITEM & SUBTOTAL column, strike "5,095,481" and substitute "5,108,636";

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line 15, strike "\$1,466.05" and substitute "\$1,472.82" and, in the ITEM & SUBTOTAL column, strike "334,901,444" and substitute "336,448,671".

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Page 109, line 3, strike "\$3,372.56" and substitute "\$3,386.80" and, in the ITEM & SUBTOTAL column, strike "57,640,410" and substitute "57,883,838";

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line 6, strike "\$9,771.88" and substitute "\$9,804.04" and, in the ITEM & SUBTOTAL column, strike "61,650,804" and substitute "61,853,657".

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line 7, in the TOTAL column, strike "2,098,576,605" and substitute "2,108,576,605", in the GENERAL FUND column, strike "734,495,976(M)" and substitute "739,495,976(M)", and, in the FEDERAL FUNDS column, strike "1,052,412,534" and substitute "1,057,412,534".

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Adjust affected totals accordingly.

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Page 139, line 11, in the ITEM & SUBTOTAL column, strike "268,353,884" and substitute "263,353,884" and, in the GENERAL FUND column, strike "268,353,884" and substitute "263,353,884".

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Adjust affected totals accordingly.

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Page 143, line 11, in the ITEM & SUBTOTAL column, strike "656,203,190" and substitute "651,203,190" and, in the CASH FUNDS EXEMPT column, strike "656,203,190" and substitute "651,203,190".

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Adjust affected totals accordingly.

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Page 144, line 1, strike "\$184,923,669(T)" and substitute "\$179,923,669(T)";

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line 4, strike "\$112,043,829" and substitute "\$107,043,829".

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Adjust affected (T) notation totals accordingly.

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Amendment No. 10(J.116), by Senators Tapia, Keller and Owen.

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Amend reengrossed bill, page 134, strike line 11 and substitute "(A) Administration^{36, 37, 38}".

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Page 154, strike lines 14 through 16.

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Amendment No. 11(J.118), by Senators Tapia, Keller and Owen.

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Amend reengrossed bill, page 138, line 9, strike "PROGRAM^{41a}" and substitute "PROGRAM".

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Page 156, strike lines 9 through 15.

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Amendment No. 12(J.168), by Senator Lamborn.

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Amend reengrossed bill, page 138, line 10, strike "Stipends" and substitute "Stipends^{41b}".

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Page 156, after line 15, insert the following:

"41b Department of Higher Education, College Opportunity Fund Program, Stipends -- It is the intent of the General Assembly that no stipends from the College Opportunity Fund shall be disbursed on behalf of non-legal residents of the United States."

Amendment No. 13(J.169), by Senators Isgar and Entz.

Amend reengrossed bill, page 139, line 11, in the ITEM & SUBTOTAL column, strike "268,353,884" and substitute "267,651,549" and, in the GENERAL FUND column, strike "268,353,884" and substitute "267,651,549".

Adjust affected totals accordingly.

Page 145, line 13, in the ITEM & SUBTOTAL column, strike "242,774,799" and substitute "242,072,464" and, in the CASH FUNDS EXEMPT column, strike "242,774,799" and substitute "242,072,464".

Page 146, line 1, strike "\$124,210,844(T)" and substitute "\$123,508,509(T)";

line 3, strike "\$18,712,064" and substitute "\$18,009,729".

Adjust affected totals and affected (T) notation totals accordingly.

Page 147, line 15, in the ITEM & SUBTOTAL column, strike "9,685,902" and substitute "10,388,237" and, in the GENERAL FUND column, strike "9,685,902" and substitute "10,388,237".

Adjust affected totals accordingly.

Amendment No. 14(J.117), by Senator Sandoval.

Amend reengrossed bill, page 160, line 10, in the ITEM & SUBTOTAL column, strike "4,528,546" and substitute "4,228,546" and, in the GENERAL FUND column, strike "1,680,732" and substitute "1,380,732".

Adjust affected totals accordingly.

Page 414, line 12, in the ITEM & SUBTOTAL column, strike "1,093,571" and substitute "1,393,571" and, in the GENERAL FUND column, strike "1,093,571" and substitute "1,393,571".

Adjust affected totals accordingly.

Amendment No. 15(J.162), by Senator Mitchell.

Amend reengrossed bill, page 176, line 3, strike "**Program**" and substitute "**Program**^{54a}".

Page 216, after line 4, insert the following:

"54a Department of Human Services, Office of Self Sufficiency, Colorado Works Program -- It is the intent of the General Assembly that the Department of Human Services not provide any moneys appropriated in the Colorado Works Program to persons who are in the United States illegally."

Amendment No. 16(J.110), by Senators Tapia, Keller and Owen.

Amend reengrossed bill, page 206, line 6, strike "**Administration**^{78, 78a}" and substitute "**Administration**⁷⁸".

Page 225, strike lines 14 through 16.

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Amendment No. 17(J.109), by Senators Tapia, Keller and Owen.

Amend reengrossed bill, page 208, line 14, in the ITEM & SUBTOTAL column, strike "10,412,234" and substitute "10,422,234" and, in the GENERAL FUND column, strike "10,412,234" and substitute "10,422,234".

Adjust affected totals accordingly.

Page 245, line 3, in the ITEM & SUBTOTAL column, strike "50,544" and substitute "40,544" and, in the GENERAL FUND column, strike "50,544" and substitute "40,544".

Adjust affected totals accordingly.

Amendment No. 18(J.111), by Senators Tapia, Keller and Owen.

Amend reengrossed bill, page 277, strike lines 6 through 13.

Adjust affected totals and affected (T) notation totals accordingly.

Page 278, strike line 3.

Amendment No. 19(J.147), by Senator Shaffer.

Amend reengrossed bill, page 346, line 14, strike "Lease/Purchase" and substitute "Lease/Purchase^{100a}".

Page 361, after line 11, insert the following:

"100a It is the intent of the General Assembly that the Department make every effort possible to purchase or lease/purchase flex fuel or hybrid vehicles, whenever possible."

Amendment No. 20(J.098), by Senators Tapia, Keller and Owen.

Amend reengrossed bill, page 362, line 1, strike "including an evaluation of converting state telephone service to voice over internet protocol service over the next five years,".

Amendment No. 21(J.108), by Senators Tapia, Keller and Owen.

Amend reengrossed bill, page 413, line 4, strike "Designation^{108a}" and substitute "Designation".

Page 419, strike lines 1 through 3.

Amendment No. 22(J.152), by Senator McElhany.

Amend reengrossed bill, page 464, line 13, strike "Space" and substitute "Space^{113a}".

Page 476, line 6, strike "Services" and substitute "Services^{113a}";

line 8, strike "Expenses" and substitute "Expenses^{113a}".

Page 489, after line 5, insert the following:

"113a Department of Revenue, Executive Director's Office, Leased Space; Division of Motor Vehicles, Driver and Vehicle Services, Personal Services; and Operating Expenses -- It is the intent of the General Assembly that five percent of the listed appropriations utilized for the purpose of State driver's license offices be allocated toward the restoration of offices closed for the sole purpose of saving General Fund in FY 2002-03."

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Amendment No. 23(J.101), by Senators Tapia, Keller and Owen.

Amend reengrossed bill, page 500, line 11, strike "**OPERATIONS**^{117a}" and substitute "**OPERATIONS**".

Page 504, strike lines 1 through 8.

Amendment No. 24(J.153), by Senators Isgar, Brophy, Evans and Kester.

Amend reengrossed bill, page 515, after line 14, insert the following:

"(II) If there is a sufficient general fund surplus at the end of the 2005-06 state fiscal year transferred to the capital construction fund pursuant to section 24-75-218, Colorado Revised Statutes, three million dollars (\$3,000,000) of the general fund surplus which is transferred to the capital construction fund, which sum constitutes state fiscal year spending as defined in section 24-77-102 (17) (a), Colorado Revised Statutes;" .

Renumber succeeding subparagraphs accordingly.

Page 557, after line 2, insert the following:

ITEM & SUBTOTAL	CAPITAL CONSTRUCTION FUND EXEMPT
\$	\$
"Division of Information Technology, Upgrade State Assets for the Digital Trunked Radio System ^{2a}	3,000,000".

Adjust affected totals accordingly.

Page 563, after line 14, insert the following:

2a Capital Construction, Department of Personnel and Administration, Capital Construction, Division of Information Technology, Upgrade State Assets for the Digital Trunked Radio System -- It is the intent of the General Assembly that the State Controller restrict this appropriation until it is determined that there is a General Fund surplus at the end of the 2005-06 state fiscal year, and that one-third of any such General Fund surplus, the amount transferred to the Capital Construction Fund pursuant to section 24-75-218, Colorado Revised Statutes, exceeds three million dollars (\$3,000,000)."

Amendment No. 25(J.121), by Senators Tapia, Keller and Owen.

Amend reengrossed bill, page 534, line 9, strike "**Buildings**^{1a}" and substitute "**Buildings**".

Page 563, strike lines 5 through 8.

Amendment No. 26(J.144), by Senators Bacon and McElhany.

Amend reengrossed bill, page 535, line 3, strike "**COLORADO**" and substitute "**COLORADO AT DENVER AND**";

after line 15, insert the following:

ITEM & SUBTOTAL	CASH FUNDS EXEMPT
\$	\$
"Conveyance of University	

of Colorado at			1
Denver Building			2
and the Lawrence			3
Street Center	36,500,000	36,500,000 ^b ".	4

Adjust affected totals accordingly.

Page 536, after line 3, insert the following:

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

Amendment No. 27(J.114), by Senators Tapia, Keller and Owen.

Amend reengrossed bill, page 602, line 2, strike "amended, and the said Part VI is further amended BY THE ADDITION OF A NEW FOOTNOTE, to read:" and substitute "amended to read:".

Page 603, line 4, strike "**PROGRAM**^{53a}" and substitute "**PROGRAM**".

Page 612, strike lines 7 through 10.

Amendment No. 28(J.171), by Senator Groff.

Amend reengrossed bill, page 66, line 5, in the GENERAL FUND column, strike "2,381,216,720" and substitute "2,379,216,720" and, in the CASH FUNDS EXEMPT column, strike "387,387,436" and substitute "389,387,436".

Adjust affected totals accordingly.

Page 67, line 1, strike "\$314,290,321" and substitute "\$316,290,321".

Page 137, line 8, in the ITEM & SUBTOTAL column, strike "624,539" and substitute "2,624,539" and, in the GENERAL FUND column, strike "624,539" and substitute "2,624,539".

Adjust affected totals accordingly.

Page 155, strike lines 9 through 14, and substitute the following:

39a Department of Higher Education, Colorado Commission on Higher Education Financial Aid, Special Purpose, Scholarships for Pre-collegiate Programs -- It is the intent of the General Assembly that to receive a grant from the Scholarships for Pre-collegiate Programs a student must be a Colorado high school graduate eligible for resident tuition and have been accepted into an institution of higher education in Colorado. Further, the student must have been enrolled in and successfully completed an eligible pre-collegiate program. It is the intent of the General Assembly that the Colorado Commission on Higher Education or their designee will determine the criteria for pre-collegiate programs to be eligible for participation, but that all state-operated higher education institutions may apply for participation."

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.)

HB06-1386 by Representative(s) Plant, Buescher, Hall; also Senator(s) Tapia, Keller, Owen-- Concerning transfers of money to the capital construction fund.

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

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.

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

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HB06-1338 by Representative(s) Plant; also Senator(s) Fitz-Gerald--Concerning the inclusion of contiguous counties in the regional transportation district.

Amendment No. 1, Local Government Committee Amendment.

(Printed in Senate Journal, March 31, page 695 and placed in members' bill files.)

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Senator Fitz-Gerald moved to amend the Report of the Committee of the Whole to show that the following Tapia, Keller, and Owen floor amendment, (J.097 - Amendment No. 3) to HB 06-1385, did not pass.

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

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

Adjust affected totals accordingly.

Page 452, line 13, in the ITEM & SUBTOTAL column, strike "1,558,639" and substitute "1,514,436" and, in the GENERAL FUND column, strike "959,807" and substitute "915,604";

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

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

Adjust affected totals accordingly.

The amendment to the Report of the Committee of the Whole was declared LOST on the following roll call vote:

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

Senator Isgar moved to amend the Report of the Committee of the Whole to show that the following Isgar floor amendment, (J.164 - Amendment No. 13) to HB 06-1385, did pass.

Amend reengrossed bill, page 66, line 5, in the GENERAL FUND column, strike "2,381,216,720" and substitute "2,380,716,720" and, in the CASH FUNDS EXEMPT column, strike "387,387,436" and substitute "387,887,436".

Adjust affected totals accordingly.

Page 67, line 1, strike "\$314,290,321" and substitute "\$314,790,321".

Page 147, line 15, in the ITEM & SUBTOTAL column, strike "9,685,902" and substitute "10,185,902" and, in the GENERAL FUND column, strike "9,685,902" and substitute "10,185,902".

Adjust affected totals accordingly.

The amendment to the Report of the Committee of the Whole was declared LOST on the following roll call vote:

YES	12	NO	23	EXCUSED	0	ABSENT	0
Bacon	N	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	N
Brophy	N	Johnson	Y	Sandoval	N	Tupa	N
Dyer	N	Jones	N	Shaffer	Y	Veiga	N
Entz	Y	Keller	N	Spence	N	Wiens	N
Evans	Y	Kester	N	Takis	Y	Williams	N
Gordon	N	Lamborn	N	Tapia	N	Windels	N
Groff	Y	May R.	N	Taylor	Y	President	Y
Grossman	N	McElhany	N	Teck	N		

Senator Williams moved to amend the Report of the Committee of the Whole to show that the following Isgar and Entz floor amendment, (J.169 - Amendment No. 29) to HB 06-1385, did not pass.

Amend reengrossed bill, page 139, line 11, in the ITEM & SUBTOTAL column, strike "268,353,884" and substitute "267,651,549" and, in the GENERAL FUND column, strike "268,353,884" and substitute "267,651,549".

Adjust affected totals accordingly.

Page 145, line 13, in the ITEM & SUBTOTAL column, strike "242,774,799" and substitute "242,072,464" and, in the CASH FUNDS EXEMPT column, strike "242,774,799" and substitute "242,072,464".

Page 146, line 1, strike "\$124,210,844(T)" and substitute "\$123,508,509(T)";

line 3, strike "\$18,712,064" and substitute "\$18,009,729".

Adjust affected totals and affected (T) notation totals accordingly.

Page 147, line 15, in the ITEM & SUBTOTAL column, strike "9,685,902" and substitute "10,388,237" and, in the GENERAL FUND column, strike "9,685,902" and substitute "10,388,237".

Adjust affected totals accordingly.

The amendment to the Report of the Committee of the Whole was declared PASSED on the following roll call vote:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	N
Boyd	N	Isgar	N	Owen	Y	Traylor	Y
Brophy	Y	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	N	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	N	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	N	May R.	Y	Taylor	N	President	N
Grossman	Y	McElhany	Y	Teck	Y		

Senator Tapia moved to amend the Report of the Committee of the Whole to show that the following Tapia, Keller, and Owen floor amendment, (J.115 - Amendment No. 41) to HB 06-1385, did pass.

Amend reengrossed bill, page 294, line 4, strike "Training^{95a}" and substitute "Training".

Page 297, strike lines 12 through 15.

The amendment to the Report of the Committee of the Whole was declared PASSED on the following roll call vote:

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

Senator Traylor moved to amend the Report of the Committee of the Whole to show that the following Tapia, Keller, and Owen floor amendment, (J.098 - Amendment No. 43) to HB 06-1385, did not pass.

Amend reengrossed bill, page 362, line 1, strike "including an evaluation of converting state telephone service to voice over internet protocol service over the next five years,".

The amendment to the Report of the Committee of the Whole was declared LOST on the following roll call vote:

YES	12	NO	22	EXCUSED	1	ABSENT	0
Bacon	N	Hagedorn	Y	Mitchell	E	Tochtrop	N
Boyd	N	Isgar	N	Owen	N	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	N	Tupa	N
Dyer	Y	Jones	Y	Shaffer	N	Veiga	N
Entz	Y	Keller	N	Spence	Y	Wiens	N
Evans	Y	Kester	Y	Takis	N	Williams	N
Gordon	N	Lamborn	Y	Tapia	N	Windels	N
Groff	N	May R.	N	Taylor	Y	President	N
Grossman	N	McElhany	N	Teck	N		

Senator Brophy moved to amend the Report of the Committee of the Whole to show that the following Brophy floor amendment, (J.166 - Amendment No. 39) to HB 06-1385, did pass.

Amend reengrossed bill, page 241, line 15, strike "**DEFENDER⁸⁸**" and substitute "**DEFENDER^{88, 88a}**".

Page 249, after line 14, insert the following:

"88a Judicial Department, Public Defender -- It is the intent of the General Assembly that the Public Defender not use public moneys to defend illegal aliens."

The amendment to the Report of the Committee of the Whole was declared LOST on the following roll call vote:

YES	14	NO	20	EXCUSED	1	ABSENT	0
Bacon	N	Hagedorn	N	Mitchell	E	Tochtrop	N
Boyd	Y	Isgar	N	Owen	N	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	N	Tupa	N
Dyer	N	Jones	Y	Shaffer	N	Veiga	N
Entz	N	Keller	Y	Spence	N	Wiens	Y
Evans	Y	Kester	Y	Takis	N	Williams	N
Gordon	N	Lamborn	Y	Tapia	N	Windels	N
Groff	N	May R.	Y	Taylor	Y	President	N
Grossman	N	McElhany	Y	Teck	Y		

Senator May moved to amend the Report of the Committee of the Whole to show that the following Lamborn and May floor amendment, (J.136 - Amendment No. 51) to HB 06-1385, did pass.

Amend reengrossed bill, page 513, line 5, strike "**BUDGETS**" and substitute "**BUDGETS**¹²⁵";

after line 11, insert the following:

"FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

125 Grand Totals -- Operating Budgets -- It is the intent of the General Assembly to consider the transfers and diversions from the cash funds to the general fund made during the 2002 and 2003 legislative sessions as loans from those cash funds that must be repaid from the General Fund. The repayment schedule will be determined by the Joint Budget Committee. Such funds and balances owed are identified in the table below:

Auto Dealer License Fund	\$1,100,000
Department of State Cash Fund	3,900,000
Employment Support Fund	26,400,000
Hazardous Substance Response Fund	30,000,000
Major Medical Insurance Fund	215,000,000
Off-highway Vehicle Recreation Fund	700,000
Petroleum Storage Tank Fund	4,000,000
Public Utilities Commission Motor Carrier Fund	1,300,000
Real Estate Recovery Fund	3,200,000
Subsequent Injury Fund	20,000,000
Trade Name Registration Fund	400,000
Unemployment Compensation Fund	30,083,297
Workers' Compensation Cash Fund	6,000,000
Total	342,083,297

The amendment to the Report of the Committee of the Whole was declared LOST on the following roll call vote:

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

Senators McElhany, Windels, and Bacon moved to amend the Report of the Committee of the Whole to show that the following Isgar, Brophy, Evans, and Kester floor amendment, (J.153 - Amendment No. 52) to HB 06-1385, did not pass.

Amend reengrossed bill, page 515, after line 14, insert the following:

"(II) If there is a sufficient general fund surplus at the end of the 2005-06 state fiscal year transferred to the capital construction fund pursuant to section 24-75-218, Colorado Revised Statutes, three million dollars (\$3,000,000) of the general fund surplus which is transferred to the capital construction fund, which sum constitutes state fiscal year

spending as defined in section 24-77-102 (17) (a), Colorado Revised Statutes;".

Renumber succeeding subparagraphs accordingly.

Page 557, after line 2, insert the following:

	ITEM & SUBTOTAL	CAPITAL CONSTRUCTION FUND EXEMPT
	\$	\$
"Division of Information Technology, Upgrade State Assets for the Digital Trunked Radio System ^{2a}	3,000,000	3,000,000".

Adjust affected totals accordingly.

Page 563, after line 14, insert the following:

2a Capital Construction, Department of Personnel and Administration, Capital Construction, Division of Information Technology, Upgrade State Assets for the Digital Trunked Radio System -- It is the intent of the General Assembly that the State Controller restrict this appropriation until it is determined that there is a General Fund surplus at the end of the 2005-06 state fiscal year, and that one-third of any such General Fund surplus, the amount transferred to the Capital Construction Fund pursuant to section 24-75-218, Colorado Revised Statutes, exceeds three million dollars (\$3,000,000).".

The amendment to the Report of the Committee of the Whole was declared PASSED on the following roll call vote:

YES	18	NO	16	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	E	Tochtrop	N
Boyd	N	Isgar	N	Owen	Y	Traylor	Y
Brophy	N	Johnson	Y	Sandoval	N	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	N	Veiga	Y
Entz	N	Keller	Y	Spence	N	Wiens	Y
Evans	N	Kester	N	Takis	Y	Williams	N
Gordon	N	Lamborn	N	Tapia	Y	Windels	Y
Groff	N	May R.	Y	Taylor	N	President	Y
Grossman	N	McElhany	Y	Teck	Y		

Senator Windels moved to amend the Report of the Committee of the Whole to show that the following Tapia, Keller, and Owen floor amendment, (J.121 - Amendment No. 53) to HB 06-1385, did not pass.

Amend reengrossed bill, page 534, line 9, strike "Buildings^{1a}" and substitute "Buildings".

Page 563, strike lines 5 through 8.

The amendment to the Report of the Committee of the Whole was declared PASSED on the following roll call vote:

YES	31	NO	3	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	E	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	Y	Shaffer	Y	Veiga	N
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	N	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

Senator Lamborn moved to amend the Report of the Committee of the Whole to show that the following Lamborn floor amendment, (J.158 - Amendment No. 21) to HB 06-1385, did pass.

Amend reengrossed bill, page 106, line 1, strike "**PREMIUMS**^{23, 24, 25, 26, 27, 28, 29}" and substitute "**PREMIUMS**^{23, 24, 25, 26, 27, 28, 29, 29a}".

Page 130, after line 7, insert the following:

"29a Department of Health Care Policy and Financing, Medical Services Premiums -- It is the intent of the General Assembly that the funding in this line item not be used for the purchase of "Plan B" contraceptive pharmaceuticals for Medicaid clients."

The amendment to the Report of the Committee of the Whole was declared LOST on the following roll call vote:

YES	14	NO	20	EXCUSED	1	ABSENT	0
Bacon	N	Hagedorn	N	Mitchell	E	Tochtrop	N
Boyd	N	Isgar	N	Owen	N	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	N	Tupa	N
Dyer	Y	Jones	Y	Shaffer	N	Veiga	N
Entz	Y	Keller	N	Spence	N	Wiens	Y
Evans	Y	Kester	Y	Takis	N	Williams	N
Gordon	N	Lamborn	Y	Tapia	N	Windels	N
Groff	N	May R.	Y	Taylor	Y	President	N
Grossman	N	McElhany	Y	Teck	Y		

Senators Williams and Jones moved to amend the Report of the Committee of the Whole to show that the following Williams floor amendment, (J.170 - Amendment No. 57) to HB 06-1385, did pass.

Amend reengrossed bill, page 174, line 13, in the ITEM & SUBTOTAL column, strike "26,100" and substitute "76,100" and, in the FEDERAL FUNDS column, insert "50,000^f".

Adjust affected totals accordingly.

The amendment to the Report of the Committee of the Whole was declared PASSED on the following roll call vote:

YES	18	NO	16	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	N	Mitchell	E	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	N
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	N	Spence	N	Wiens	N
Evans	Y	Kester	Y	Takis	N	Williams	Y
Gordon	Y	Lamborn	N	Tapia	N	Windels	Y
Groff	Y	May R.	N	Taylor	N	President	N
Grossman	Y	McElhany	N	Teck	N		

Senator Owen moved to amend the Report of the Committee of the Whole to show that the following Groff floor amendment, (J.171 - Amendment No. 58) to HB 06-1385, did not pass.

Amend reengrossed bill, page 66, line 5, in the GENERAL FUND column, strike "2,381,216,720" and substitute "2,379,216,720" and, in the CASH FUNDS EXEMPT column, strike "387,387,436^c" and substitute "389,387,436^c".

Adjust affected totals accordingly.

Page 67, line 1, strike "\$314,290,321" and substitute "\$316,290,321".

Page 137, line 8, in the ITEM & SUBTOTAL column, strike "624,539" and substitute "2,624,539" and, in the GENERAL FUND column, strike "624,539" and substitute "2,624,539".

Adjust affected totals accordingly.

Page 155, strike lines 9 through 14, and substitute the following:

"39a Department of Higher Education, Colorado Commission on Higher Education Financial Aid, Special Purpose, Scholarships for Pre-collegiate Programs -- It is the intent of the General Assembly that to receive a grant from the Scholarships for Pre-collegiate Programs a student must be a Colorado high school graduate eligible for resident tuition and have been accepted into an institution of higher education in Colorado. Further, the student must have been enrolled in and successfully completed an eligible pre-collegiate program. It is the intent of the General Assembly that the Colorado Commission on Higher Education or their designee will determine the criteria for pre-collegiate programs to be eligible for participation, but that all state-operated higher education institutions may apply for participation."

The amendment to the Report of the Committee of the Whole was declared PASSED on the following roll call vote:

YES	23	NO	11	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	N	Mitchell	E	Tochtrop	N
Boyd	Y	Isgar	N	Owen	Y	Traylor	Y
Brophy	Y	Johnson	N	Sandoval	N	Tupa	Y
Dyer	Y	Jones	N	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	N	Lamborn	Y	Tapia	Y	Windels	Y
Groff	N	May R.	N	Taylor	Y	President	N
Grossman	N	McElhany	Y	Teck	Y		

Senator Brophy moved to amend the Report of the Committee of the Whole to show that the following Tapia, Keller, and Owen floor amendment, (J.101 - Amendment No. 49) to HB 06-1385, did not pass.

Amend reengrossed bill, page 500, line 11, strike "**OPERATIONS**"^{117a} and substitute "**OPERATIONS**".

Page 504, strike lines 1 through 8.

The amendment to the Report of the Committee of the Whole was declared LOST on the following roll call vote:

YES	13	NO	21	EXCUSED	1	ABSENT	0
Bacon	N	Hagedorn	N	Mitchell	E	Tochtrop	Y
Boyd	N	Isgar	Y	Owen	N	Traylor	Y
Brophy	Y	Johnson	N	Sandoval	N	Tupa	N
Dyer	Y	Jones	Y	Shaffer	N	Veiga	N
Entz	Y	Keller	N	Spence	N	Wiens	Y
Evans	Y	Kester	N	Takis	N	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	N	Windels	N
Groff	N	May R.	N	Taylor	N	President	N
Grossman	N	McElhany	Y	Teck	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Passed on Second Reading: HB06-1385 as amended, HB06-1386, HB06-1193, HB06-1338 as amended.

MESSAGE FROM THE HOUSE

April 5, 2006
Madame President:

The following is a corrected message regarding HB06-1021
The Speaker has appointed Representatives Benefield, chairman, Paccione, and
J. Kerr as House conferees on the First Conference Committee on HB06-1021.

April 5, 2006
Madame President:

The House has voted to grant the House conferees on the First Conference Committee on
HB06-1107 to consider matters not at issue between the two houses.

MESSAGE FROM THE GOVERNOR

April 4, 2006

The Honorable Colorado Senate
Sixty-Fifth General Assembly
Second Regular Session
State Capitol
Denver, Colorado 80203

Ladies and Gentlemen:

I am filing with the Secretary of State Senate Bill 06-039, "Concerning the Partial Entry
Into the Fire and Police Pension Association Defined Benefit System by Members of
Money Purchase Plans Where All Future Eligible Employees Are Required to Participate
in the Defined Benefit System." I will neither sign nor veto Senate Bill 06-039.
Therefore, this bill becomes law at 12:01 a.m. on April 4, 2006. This letter sets forth my
reasons for letting this bill become law without my signature.

Though S.B. 039 received a large degree of bipartisan support by the General Assembly,
some important questions were raised regarding the need for an alternative process for Fire
and Police Pension Association (FPPA) affiliation when a method was already established
in statute. It is not my desire to discount the question, but rather, believe it is up to local
government employers to provide the answer. The debate over how to address the
concerns of employees at the local government level should be made by local government
employers, as they are best suited to make prudent decisions for employees in their
respective districts.

While I remain steadfast in my support and encouragement of government following the
lead of the private sector in expanding participation of defined contribution pension plans,
the decision to authorize local government employees to affiliate with FPPA's Defined
Benefit System is yet another consideration that is most appropriately made by local
government employers.

Accordingly, I am allowing this bill to become law without my signature.

Sincerely,
(signed)
Bill Owens
Governor
Rec'd 04/04/06 3:35 p.m.
Karen Goldman, Secretary of the Senate

April 4, 2006

To the Honorable
Senate
Sixty-fifth General Assembly
Second Regular Session
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State
the following Acts:

S.B. 06-010 – Concerning The Appearance Of A Commercial Vehicle's Owner In A Court
Hearing Concerning A Permit Or Documentation Violation.

Approved April 4, 2006 at 1:36 p.m.

S.B. 06-057 – Concerning Creation Of The Missing Senior Citizen Alert Program.	1
Approved April 4, 2006 at 1:35 p.m.	2
	3
	4
S.B. 06-070 – Concerning Moneys Paid By A Lessee Of Personal Property For The Payment Of Personal Property Tax.	5
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Approved April 4, 2006 at 1:37 p.m.	8
	9
S.B. 06-102 – Concerning Limited Criminal Immunity For Licensed Medical Caregivers Who With Consent Provide Palliative Care To Terminally Ill Patients.	10
	11
	12
Approved April 4, 2006 at 1:38 p.m.	13
	14
S.B. 06-116 – Concerning Replacement Of The Requirement That The State Auditor Perform A Program Review And Evaluation Of Each Tobacco Settlement Program At Least Once Every Three Years In Accordance With A Schedule Designed By The Legislative Audit Committee With A Requirement That The State Auditor Perform Such Program Reviews And Evaluations As Deemed Necessary By The Legislative Audit Committee After Consultation With The State Auditor.	15
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Approved April 4, 2006 at 1:38 p.m.	22
	23
S.B. 06-118 – Concerning Amendments To The “Exceptional Children’s Educational Act” To Conform With The Federal “Individuals With Disabilities Education Improvement Act Of 2004”.	24
	25
	26
	27
Approved April 4, 2006 at 1:39 p.m.	28
	29
S.B. 06-124 – Concerning The Transfer To The General Fund Of The Fund Balance Remaining After The Repeal Of The Electronic Benefits Transfer Service Fund.	30
	31
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Approved April 4, 2006 at 1:40 p.m.	33
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Sincerely,	35
(signed)	36
Bill Owens	37
Governor	38
Rec'd 04/04/06 3:35 p.m.	39
Karen Goldman, Secretary of the Senate	40
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SENATE SERVICES REPORT

Correctly Printed: SB06-227.
Correctly Engrossed: SB06-211, and 215.
Correctly Revised: HB06- 1351, 1375, and 1377.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of April 5 was laid over until Thursday, April 6, retaining its place on the calendar.

Third Reading of Bills -- Final Passage -- Consent Calendar: SB06-211, HB06-1351, SB06-215.

Third Reading of Bills -- Final Passage: SCR06-003.

General Orders -- Second Reading of Bills: HB06-1090, SB06-143, HB06-1325, SB06-049, SB06-044, SB06-059, SB06-141, SB06-046, SB06-138, SB06-212.

Consideration of Resolutions: SJR06-019, SJR06-020, SJR06-022, SJR06-023.

Consideration of Memorials: SJM06-001.

Consideration of House Amendments to Senate Bills: SB06-014, SB06-115, SB06-013, SB06-021, SB06-083, SBB06-163, SB06-177, SB06-041.

Consideration of Governor's Appointments:

Members of the Read-To-Achieve Board.

Members of the Colorado Wildlife Habitat Stamp Committee.

Members of the Colorado Water Resources and Power Development Authority.

Member of the Private Occupational School Board.

Consideration of Conference Committee Reports: HB06-1159, SB06-145.

Request for Conference Committee: HB06-1121, HB06-1273, HB06-1075, HB06-1107,

HB06-1169, HB06-1354, HB06-1209, HB06-1251, HB06-1288, HB06-1021.

On motion of Senator Gordon, the Senate adjourned until 9:00 a.m., Thursday, April 6, 2006.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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