

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

115th Legislative Day Friday, May 5, 2006

- Prayer By Senator Williams.
- Pledge By Senator Boyd.
- Musical Presentations By Bel Canto Singers, Montrose High School and the Cesar Chavez Academy Mariachi Band from Pueblo.
- Call to Order By the President at 9:00 a.m.
- Roll Call Present--35.
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Isgar, reading of the Journal of May 4, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB06-1314**

**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 HB06-1314,
concerning a prohibition against certain employer communications to an
employee, has met and reports that it has agreed upon the following:

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

Respectfully submitted,

House Committee:
(signed)
Representative Cerbo, Chair
Representative M. Carroll
Representative Balmer

Senate Committee:
(signed)
Senator Tochtrop, Chair
Senator Entz
Senator Groff

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FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB06-1006

THIS REPORT AMENDS THE
REREVISED BILL

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

Your first conference committee appointed on HB06-1006,
concerning referral by an insurance company of an insured to a personal
property repair business, and making an appropriation in connection
therewith, has met and reports that it has agreed upon the following:

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

Page 4, line 24, strike "QUALIFIED AND INSURED".

Page 5, strike lines 20 through 23 and substitute the following:

"AN INSURER OR ITS AGENT MAY PROVIDE A LIST OF REPAIR BUSINESSES
TO A BENEFICIARY OR CLAIMANT UPON REQUEST BY THE BENEFICIARY OR
CLAIMANT.".

Respectfully submitted,

House Committee:
(signed)
Representative Butcher, Chair
Representative Penry
Representative T. Carroll

Senate Committee:
(signed)
Senator Tapia, Chair
Senator Entz
Senator Williams

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB06-1169

THIS REPORT AMENDS THE
REREVISED BILL

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

Your first conference committee appointed on HB06-1169,
concerning protecting personal information in domestic case filings that
are open to inspection by the public, has met and reports that it has agreed
upon the following:

1. That the House accede to the Senate amendments made to bill,
as the amendments appear in the rerevised bill.

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

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

"SECTION 1. 13-3-101, Colorado Revised Statutes, is amended
BY THE ADDITION OF A NEW SUBSECTION to read:

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13-3-101. State court administrator - repeal. (8) (a) THE STATE COURT ADMINISTRATOR SHALL CONVENE A COMMITTEE OF INTERESTED PARTIES, INCLUDING BUT NOT LIMITED TO REPRESENTATIVES OF THE NEWS MEDIA, ATTORNEYS WHO PRACTICE FAMILY LAW, AND REPRESENTATIVES OF THE COURTS, TO IDENTIFY AND MAKE RECOMMENDATIONS CONCERNING ACCESS TO RECORDS PERTAINING TO DISSOLUTION OF MARRIAGE ACTIONS. THE COMMITTEE SHALL CONSIDER ISSUES, WHICH INCLUDE, BUT ARE NOT LIMITED TO, PROTECTION OF LITIGANTS FROM IDENTITY THEFT, LIMITATIONS OF DISCLOSURE OF PERSONAL FINANCIAL RECORDS AND RECORDS THAT COULD ENDANGER THE SAFETY OF CHILDREN. THE COMMITTEE SHALL ALSO CONSIDER THE IMPORTANCE OF TRANSPARENCY IN GOVERNMENT AND OPEN ACCESS TO PUBLIC INFORMATION. THE STATE COURT ADMINISTRATOR SHALL REPORT ANY RECOMMENDATIONS OF THE COMMITTEE TO THE LEGISLATIVE COUNCIL OF THE GENERAL ASSEMBLY NO LATER THAN DECEMBER 1, 2006.

(b) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE JANUARY 1, 2007.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Respectfully submitted,

House Committee:
 (signed)
 Representative Decker, Chair
 Representative McGihon
 Representative Judd

Senate Committee:
 (signed)
 Senator Bacon, Chair
 Senator Shaffer
 Senator Traylor

MESSAGE FROM THE HOUSE

May 4, 2006
 Madame President:

In response to the request of the Senate, the Speaker has appointed Representatives McFadyen, chairman, White, and Riesberg as House conferees on the First Conference Committee on SB06-131.

In response to the request of the Senate, the Speaker has appointed Representatives Gardner, chairman, Plant, and Curry as House conferees on the First Conference Committee on SB06-138.

In response to the request of the Senate, the Speaker has appointed Representatives Romanoff, chairman, McGihon, and Penry as House conferees on the First Conference Committee on SB06-198.

In response to the request of the Senate, the Speaker has appointed Representatives Green, chairman, T. Carroll, and Crane as House conferees on the First Conference Committee on SB06-206.

The House voted to adhere to its position on HB06-1090. The bill is transmitted herewith.

The House failed to pass SB06-141 as amended on Second Reading. The bill is returned herewith.

The House has laid over SB06-222 until May 11, deeming it lost. The bill is returned herewith.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions -- SJR06-054.

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CONSIDERATION OF RESOLUTIONS

SJR06-054 by Senator(s) Sandoval, Tapia; also Representative(s) Vigil--Concerning the celebration of Cinco de Mayo.

On motion of Senator Sandoval, the resolution was read at length and adopted by the following roll call vote:

Table with 8 columns: YES (35), NO (0), EXCUSED (0), ABSENT (0), and names of senators/representatives with their respective votes (Y).

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

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Third Reading of Bills -- Final Passage.

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:

HB06-1398 by Representative(s) Plant, Buescher, Hall; also Senator(s) Owen, Keller, Tapia-- Concerning clarification of the manner in which the transfer of net revenue of the state sales and use tax to specified funds as currently authorized by law is to be administered.

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

Table with 8 columns: YES (35), NO (0), EXCUSED (0), ABSENT (0), and names of senators/representatives with their respective votes (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.

HB06-1408 by Representative(s) Massey; also Senator(s) Taylor--Concerning off-site ground water monitoring wells in mining operations.

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**.

HB06-1409 by Representative(s) Jahn; also Senator(s) Tochtrop--Concerning the authority to simulcast out-of-state greyhound races at greyhound race facilities.

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

YES	31	NO	4	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	N
Dyer	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	N
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	N	Teck	Y		

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

Co-sponsors added: Taylor.

HB06-1391 by Representative(s) Hefley, Carroll T., King, Marshall, McGihon; also Senator(s) Groff, Dyer, Grossman, Mitchell, Veiga--Concerning the revision of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, inconsistent, and conflicting provisions of law and clarifying the language to reflect the legislative intent of the laws.

Laid over until Monday, May 8, retaining its place on the calendar.

HB06-1393 by Representative(s) Curry, Buescher; also Senator(s) Isgar--Concerning the use of severance tax revenues by the department of agriculture for the natural resources conservation matching grants program.

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

YES	33	NO	2	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.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	N		

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

HB06-1400 by Representative(s) Buescher, Penry, Curry; also Senator(s) Isgar--Concerning interbasin compacts, and, in connection therewith, approving the interbasin compact charter, altering the boundaries that define certain western slope basin roundtables, and making an appropriation.

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**.

Co-sponsors added: Fitz-Gerald and Taylor.

HB06-1092 by Representative(s) Schultheis, Harvey, Lundberg, Penry, Welker; also Senator(s) Jones, Brophy, Johnson--Concerning increasing the penalty for sexual exploitation of a child by possession of sexually exploitative material, and making an appropriation therefor.

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**.

Co-sponsors added: Bacon, Boyd, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Groff, Isgar, Keller, Kester, Lamborn, May R., Mitchell, Owen, Sandoval, Shaffer, Spence, Tapia, Taylor, Teck, Tochtrop, Traylor, Tupa, Veiga, Wiens, Williams and Windels.

HB06-1283 by Representative(s) Merrifield, Paccione, Benefield, Pommer, Solano, Todd; also Senator(s) Windels--Concerning a requirement that each school district spend at least a specified percentage of its total operational expenditures on services that directly affect student achievement, and making an appropriation therefor.

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

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

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

Co-sponsors added: Bacon, Entz, Groff and Grossman.

HB06-1336 by Representative(s) McGihon, Riesberg; also Senator(s) Grossman--Concerning the enactment of the "Uniform Athlete Agents Act", and, in connection therewith, conforming existing statutes governing the conduct of athlete agents, and making an appropriation.

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

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YES	23	NO	12	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	N
Brophy	N	Johnson	Y	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	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	N	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**.

HB06-1395 by Representative(s) Buescher, Hall, Plant; also Senator(s) Keller, Owen, Tapia-- Concerning residential child health care, and making an appropriation in connection therefor.

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

YES	34	NO	1	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.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

Co-sponsors added: Boyd, Evans, Groff, Hagedorn, Mitchell, Sandoval, Shaffer, Tochtrop, Tupa, Williams and Windels.

HB06-1384 by Representative(s) Buescher, McFadyen, Butcher; also Senator(s) Tapia--Concerning the expenditure of moneys from the Colorado travel and tourism promotion fund to benefit the Colorado state fair, and making an appropriation therefor.

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

YES	34	NO	1	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.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

Co-sponsors added: Entz, Evans, Isgar, Keller, Kester, Owen, Taylor, Teck, Tochtrop and Wiens.

HB06-1302 by Representative(s) Stengel; also Senator(s) Gordon--Concerning auto emissions testing, and making an appropriation therefor.

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

Third Reading Amendment No. 1(L.028), by Senator Gordon.

Amend revised bill, page 8, line 21, after "MAIL", insert "BY THE

CONTRACTOR".

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	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**.

Co-sponsors added: Dyer, Evans, Fitz-Gerald, Groff, Jones, May R., McElhany, Mitchell, Shaffer, Taylor, Veiga and Wiens.

HB06-1396 by Representative(s) Kerr A., Berens, Green, McGihon, Plant, Riesberg, Soper, Weissmann; also Senator(s) Tapia, Boyd, Sandoval--Concerning the funding of school-based health centers, and, in connection therewith, making an appropriation.

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	Wiens	N
Evans	N	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	N	President	Y
Grossman	Y	McElhany	N	Teck	N		

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

Co-sponsors added: Bacon, Fitz-Gerald, Groff, Hagedorn, Isgar, Keller, Shaffer, Tochtrop, Tupa, Veiga, Williams and Windels.

HB06-1399 by Representative(s) Hall, Plant, Buescher; also Senator(s) Tapia, Keller, Owen--Concerning the authority to use a percentage of stipend spending authority to purchase postsecondary educational services if authorized by a fee-for-service contract.

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	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	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: Bacon, Teck, Tupa, Williams and Windels.

HB06-1405 by Representative(s) Plant, Buescher, Hall; also Senator(s) Tapia, Keller, Owen--
Concerning a supplemental appropriation to capital construction.

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**.

Co-sponsors added: Windels.

HB06-1003 by Representative(s) Pommer, Borodkin, Green, Hefley, Larson, McFadyen; also Senator(s) Williams, Isgar, Wiens--Concerning private toll roads and toll highways, and, in connection therewith, specifying requirements that must be met before a corporation can construct a private toll road or toll highway.

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**.

Co-sponsors added: Brophy, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Johnson, Jones, Keller, Kester, Lamborn, May R., Mitchell, Owen, Shaffer, Spence, Teck, Tochtrop, Traylor and Tupa.

HB06-1343 by Representative(s) Crane; also Senator(s) Keller--Concerning measures to ensure that an illegal alien does not perform work on a public contract for services, and making an appropriation in connection therewith.

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

Third Reading Amendment No. 1(L.021), by Senator Keller.

Amend revised bill, page 5, line 16, strike "ALIEN." and substitute "ALIEN; EXCEPT THAT THE CONTRACTOR SHALL NOT TERMINATE THE CONTRACT WITH THE SUBCONTRACTOR IF DURING SUCH THREE DAYS THE SUBCONTRACTOR PROVIDES INFORMATION TO ESTABLISH THAT THE SUBCONTRACTOR HAS NOT KNOWINGLY EMPLOYED OR CONTRACTED WITH AN ILLEGAL ALIEN.".

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	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**.

Co-sponsors added: Bacon, Boyd, Brophy, Dyer, Entz, Evans, Fitz-Gerald, Hagedorn, Isgar, Johnson, Jones, Lamborn, May R., Owen, Tapia, Taylor, Teck, Tochtrop, Tupa, Wiens and Williams.

HB06-1178 by Representative(s) Butcher, Borodkin, Carroll M., Paccione; also Senator(s) Williams-- Concerning the motorist insurance identification database program used to identify persons who own motor vehicles that are not insured, and, in connection therewith, making an appropriation.

The question being "Shall the bill 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	N	Traylor	N
Brophy	N	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	N
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.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	N	Teck	Y		

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

HB06-1322 by Representative(s) Buescher; also Senator(s) Tapia--Concerning support for the development of clean energy resources using proceeds of the operational account of the severance tax trust fund, and making an appropriation in connection therewith.

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

YES	31	NO	4	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	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	N
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	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, Boyd, Fitz-Gerald, Gordon, Groff, Grossman, Isgar, May R., Shaffer, Tochtrop, Tupa, Williams and Windels.

HB06-1352 by Representative(s) McFadyen, Buescher, Butcher, Curry, Gallegos, Massey; also Senator(s) Gordon--Concerning an expansion of water judges' jurisdiction to address the effects of a water right adjudication on water quality.

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

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

Less than a majority of all members elected to the Senate having voted in the affirmative, the bill was declared **LOST**.

IMMEDIATE RECONSIDERATION OF HB06-1352

HB06-1352 by Representative(s) McFadyen, Buescher, Butcher, Curry, Gallegos, Massey; also Senator(s) Gordon--Concerning an expansion of water judges' jurisdiction to address the effects of a water right adjudication on water quality.

Having voted on the prevailing side, Senator Lamborn moved for immediate reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on HB06-1352. The roll call was taken with the following result:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	N	Mitchell	N	Tochtrop	N
Boyd	Y	Isgar	Y	Owen	N	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	N	Kester	Y	Takis	N	Williams	N
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	N	President	Y
Grossman	Y	McElhany	N	Teck	Y		

Less than a majority of all members elected to the Senate having voted in the affirmative, reconsideration was **LOST**.

THIRD READING OF BILLS -- FINAL PASSAGE (cont.)

HB06-1397 by Representative(s) Solano, Merrifield, Hefley, Larson, Massey, Benefield, Todd; also Senator(s) Shaffer, Williams, Boyd, Windels, Bacon--Concerning the creation of a statewide system of early childhood councils, and making an appropriation therefor.

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

Third Reading Amendment No. 1(L.029), by Senator Shaffer.

Amend revised bill, page 13, line 2, strike "STATE LAW OR".

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	22	NO	13	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	N
Brophy	N	Johnson	Y	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	N	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: Groff, Isgar, Tochtrop and Tupa.

HB06-1410 by Representative(s) Plant, Benefield, Marshall, McCluskey, Knoedler, Sullivan, White; also Senator(s) Groff--Concerning creation of the health disparities grant program fund, and making an appropriation in connection therewith.

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

YES	31	NO	4	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	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	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	N	Teck	Y		

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

Co-sponsors added: Boyd, Grossman, Shaffer and Windels.

HB06-1406 by Representative(s) Solano; also Senator(s) Boyd--Concerning the regulation of electronic devices that are designed to cause traffic lights to change.

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**.

Co-sponsors added: Bacon, May R., Spence, Teck and Williams.

HB06-1411 by Representative(s) White, Weissmann, Paccione; also Senator(s) Tochtrop--Concerning the circumstances under which private property may be acquired by public entities through exercise of the power of eminent domain in furtherance of a public use, and, in connection therewith, prohibiting private property from being taken by the state or any political subdivision unless the condemning entity establishes that the taking is for a public use, excluding takings for economic development or tax revenue enhancement from the meaning of public use, and requiring that a condemnation action satisfy a higher degree of proof when the taking is for the eradication of blight.

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

Third Reading Amendment No. 1(L.012), by Senator Tochtrop.

Amend revised bill, page 3, strike lines 14 through 16 and substitute the following:

"THIS PARAGRAPH (b), AND NOT EXPAND, THE DEFINITION OF "PUBLIC USE".".

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	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**.

Co-sponsors added: Brophy, Dyer, Johnson, Owen, Taylor, Teck and Wiens.

COMMITTEE OF REFERENCE REPORTS

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB06-1050** be postponed indefinitely.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SCR06-007** be postponed indefinitely.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB06-1412** be postponed indefinitely.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB06-1382** 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 lines 7 and 8.

Reletter succeeding paragraphs accordingly.

Page 3, line 13, strike "AT A FUNERAL SITE";

line 14, strike "PERSON." and substitute "PERSON, INCLUDING THE ASSEMBLY AND DISPERSAL OF THE MOURNERS.".

Page 5, strike lines 18 through 27.

Strike pages 6 and 7.

Page 8, strike lines 1 through 16.

Renumber succeeding sections accordingly.

SENATE SERVICES REPORT

Correctly Engrossed: SJM06-004; SJR06-033.

Correctly Revised: HB06-1003, 1092, 1178, 1283,1302, 1322, 1336, 1343, 1352, 1384, 1391, 1393, 1395, 1396, 1397, 1398, 1399,1400,1405,1406, 1408, 1410, 1409, and 1411.

Correctly Rerevised: HB06-1344.

Correctly Enrolled: SB06-001.

Committee of the Whole

On motion of Senator Takis, the Senate resolved itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills and Senator Takis 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:

HB06-1407 by Representative(s) Pommer; also Senator(s) Boyd--Concerning workers' compensation coverage for an independent contractor working as a driver.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, May 4, page 1238, was declared LOST.)

Amendment No. 2(L.006), by Senator FitzGerald.

Amend reengrossed bill, page 2, line 4, after "CONTRACTOR", insert "WHO MEETS THE PROVISIONS OF SECTION 8-40-202 (2) (b) (II), C.R.S.,".

Amendment No. 3(L.007), by Senator Brophy.

Strike the Judiciary Committee Report, dated May 3, 2006.

Amend reengrossed bill, page 2, line 6, after "COMMISSION," insert "OR WORKING AS A DRIVER UNDER A LEASE AGREEMENT WITH A MOTOR CARRIER,".

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.)

SCR06-008 by Senator(s) Gordon, Evans; --Submitting to the registered electors of the state of Colorado amendments to sections 44, 47, and 48 of article V of the constitution of the state of Colorado, concerning redistricting by the general assembly pursuant to a plan prepared by the nonpartisan staff of the general assembly without the ability to adopt substantive amendments to the plan, and, in connection therewith, repealing the reapportionment commission.

Laid over until later in the day, Friday, May 5, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB06-1407 by Representative(s) Pommer; also Senator(s) Boyd--Concerning workers' compensation coverage for an independent contractor working as a driver.

Senator Boyd moved to amend the Report of the Committee of the Whole to show that HB 06-1407 was laid over to May 11, 2006.

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

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Takis, 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 to the next Special Orders of Bills -- Second Reading calender, May 5:
SCR06-008.

Laid over until May 11, 2006: HB06-1407 as amended.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB06-209 by Senator(s) Windels; also Representative(s) Paccione, Massey--Concerning creation of a task force to study Colorado's system of higher education financing.

Senator Windels moved for the adoption of the First Report of the First Conference Committee on **SB06-209**, as printed in Senate Journal, May 2, pages 1174-1175. The motion was **adopted** by the following roll call vote:

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		

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	N	Traylor	Y
Brophy	Y	Johnson	N	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	N	Keller	Y	Spence	Y	Wiens	Y
Evans	Y	Kester	N	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	N	Teck	N		

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

Co-sponsors added: Bacon, Shaffer and Williams.

SB06-094 by Senator(s) Spence; also Representative(s) Lindstrom--Concerning the regulation of motor carriers by the public utilities commission.

Senator Spence moved for the adoption of the First Report of the First Conference Committee on **SB06-094**, as printed in Senate Journal, May 3, page 1187. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	N	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		

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	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, as amended, was declared **repassed**.

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

Senator Tapia moved for the adoption of the First Report of the First Conference Committee on **HB06-1386**, as printed in Senate Journal, May 4, page 1241. The motion was **adopted** by the following roll call vote:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Bacon	N	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	Y	Tupa	N
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	N
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

YES	33	NO	2	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	N	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.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

HB06-1006 by Representative(s) Butcher; also Senator(s) Tapia--Concerning referral by an insurance company of an insured to a personal property repair business, and making an appropriation in connection therewith.

Senator Tapia moved for the adoption of the First Report of the First Conference Committee on **HB06-1006**, as printed in Senate Journal, May 5, page 1266. The motion was **adopted** by the following roll call vote:

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		

The question being "Shall the bill, as amended, 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, as amended, was declared **repassed**.

On motion of Senator Gordon, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended for HB06-1169.

HB06-1169 by Representative(s) Decker, Cloer, Harvey, Todd; also Senator(s) Bacon--Concerning protecting personal information in domestic case filings that are open to inspection by the public.

Senator Bacon moved for the adoption of the First Report of the First Conference Committee on **HB06-1169**, as printed in Senate Journal, May 5, pages 1266-1267. The motion was **adopted** by the following roll call vote:

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		

The question being "Shall the bill, as amended, 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, as amended, was declared **repassed**.

COMMITTEE OF REFERENCE REPORTS

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB06-1337**

THIS REPORT AMENDS THE REENGROSSED BILL

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

Your first conference committee appointed on HB06-1337, concerning penalties levied against a person who violates water quality control provisions, and making an appropriation therewith, has met and reports that it has agreed upon the following:

That the Senate recede from its amendments made to the bill, as said amendments appear in the rerevised bill, and that the following amendments be substituted therefor:

Amend reengrossed bill, page 3, line 4, strike "ten TWENTY-FIVE"and substitute "ten" and strike "VIOLATION PER".

Page 1, line 103, strike "THEREWITH." and substitute "THEREFOR."

Respectfully submitted,

House Committee: (signed) Representative Butcher, Chair Representative Curry Representative Penry

Senate Committee: (signed) Senator Tapia, Chair Senator Williams Senator Entz

MESSAGE FROM THE HOUSE

May 5, 2006 Madame President:

The House has adopted and returns herewith SJR06-054.

The House has voted to grant the House conferees on the First Conference Committee on SB06-047 to consider matters not at issue between the two houses.

The House has voted to grant the House conferees on the First Conference Committee on SB06-138 to consider matters not at issue between the two houses.

The House has voted to grant the House conferees on the First Conference Committee on SB06-198 to consider matters not at issue between the two houses.

The House has passed on Third Reading and returns herewith SB06-004, 011, 193, 207, 221, 228, 237, 236, 122, 136, 031, 183, 225.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB06-044, amended as printed in House Journal, May 4, pages 1752-1753. SB06-111, amended as printed in House Journal, May 4, page 1753. SB06-234, amended as printed in House Journal, May 4, page 1754. SB06-072, amended as printed in House Journal, May 4, page 1755. SB06-179, amended as printed in House Journal, May 4, page 1729, 1755-1756, and amended on Third Reading, May 5. SB06-233, amended as printed in House Journal, May 4, page 1756. SB06-096, amended as printed in House Journal, May 4, pages 1769-1770. SB06-239, amended as printed in House Journal, May 4, page 1771. SB06-230, amended as printed in House Journal, May 4, pages 1771-1772. SB06-173, amended as printed in House Journal, May 4, pages 1773-1774. SB06-170, amended as printed in House Journal, May 4, page 1778. SB06-227, amended as printed in House Journal, May 4, page 1779. SB06-150, amended as printed in House Journal, May 4, pages 1779-1780. SB06-114, amended as printed in House Journal, May 4, pages 1780-1781. SB06-229, amended as printed in House Journal, May 4, page 1781.

The House has voted not to concur in the Senate amendments to HB06-1057 and requests that a conference committee be appointed. The Speaker has appointed Representatives Stafford, chairman, Merrifield, and M.Carroll as House conferees on the First Conference Committee on HB06-1057. The bill is transmitted herewith.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72

Senate in recess. Senate reconvened.

On motion of Senator Gordon, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SCR06-008, HB06-1382 were made Special Orders at 1:50 p.m.

Committee of the Whole The hour of 1:50 p.m. having arrived, Senator Teck moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Teck 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:

HB06-1382 by Representative(s) Merrifield, McFadyen, Penry, Cloer, Larson, White, Stafford, Gallegos, Balmer, Benefield, Butcher, Carroll T., Cerbo, Clapp, Coleman, Decker, Frangas, Green, Hodge, Lindstrom, Madden, Marshall, Massey, May M., McKinley, Paccione, Plant, Ragsdale, Riesberg, Rose, Solano, Soper, Stengel, Todd, Vigil; also Senator(s) Shaffer, Jones--Concerning the creation of the "Right to Rest in Peace Act".

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 5, page 1277 and placed in members' bill files.)

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.)

SCR06-008 by Senator(s) Gordon, Evans; --Submitting to the registered electors of the state of Colorado amendments to sections 44, 47, and 48 of article V of the constitution of the state of Colorado, concerning redistricting by the general assembly pursuant to a plan prepared by the nonpartisan staff of the general assembly without the ability to adopt substantive amendments to the plan, and, in connection therewith, repealing the reapportionment commission.

Laid over until May 11, 2006.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB06-1382 by Representative(s) Merrifield, McFadyen, Penry, Cloer, Larson, White, Stafford, Gallegos, Balmer, Benefield, Butcher, Carroll T., Cerbo, Clapp, Coleman, Decker, Frangas, Green, Hodge, Lindstrom, Madden, Marshall, Massey, May M., McKinley, Paccione, Plant, Ragsdale, Riesberg, Rose, Solano, Soper, Stengel, Todd, Vigil; also Senator(s) Shaffer, Jones--Concerning the creation of the "Right to Rest in Peace Act".

Senator Mitchell moved to amend the Report of the Committee of the Whole to show that the State, Veterans, and Military Affairs Committee amendment to HB 06-1382 did not pass.

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

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 Teck, 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: HB06-1382.
Laid over until May 11, 2006: SCR06-008.

MESSAGE FROM THE REVISOR OF STATUTES

May 5, 2006

We herewith transmit:

Without comment, as amended, SB06-044, 072, 096, 111, 114, 150, 170, 173, 179, 227, 229, 230, 233, 234, and 239.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB06-208 by Senator(s) Hanna, Shaffer; also Representative(s) McGihon--Concerning the creation of the health care reform committee for the purpose of studying health care reform issues, and making transfers of funds therefor.

Senator Shaffer moved that the Senate concur in House amendments to **SB06-208**, as printed in House Journal, May 1, pages 1586-1590. The motion was **passed** by the following roll call vote:

YES	19	NO	16	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	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	N	Wiens	N
Evans	N	Kester	N	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	N	President	Y
Grossman	Y	McElhany	N	Teck	N		

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

YES	19	NO	16	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	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	N	Wiens	N
Evans	N	Kester	N	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	N	President	Y
Grossman	Y	McElhany	N	Teck	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: Boyd.

SB06-213 by Senator(s) Hagedorn; also Representative(s) Penry--Concerning the requirement that health care services provided at an in-network facility be provided to the covered person at no greater cost than services provided by an in-network provider.

Senator Hagedorn moved that the Senate concur in House amendments to **SB06-213**, as printed in House Journal, May 1, page 1601. The motion was **passed** by the following roll call vote:

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		

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	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, as amended, was declared **repassed**.

SB06-064

by Senator(s) Groff, Hanna; also Representative(s) Garcia, Marshall, Weissmann-- Concerning the monitoring of vendor performance on state contracts, and, in connection therewith, requiring the submission of information on the use of personal services and sole-source contracts by state agencies, requiring the existing state database of prospective vendors to include information concerning vendor performance, requiring the disclosure of state contract work to be performed outside the state, establishing procedures for monitoring vendor performance, authorizing the state to pursue specified remedies for vendor nonperformance, and making an appropriation.

Senator Groff moved that the Senate concur in House amendments to **SB06-064**, as printed in House Journal, May 4, pages 1732-1736. The motion was **passed** by the following roll call vote:

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		

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	Y	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	N	Keller	Y	Spence	N	Wiens	N
Evans	N	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	N	President	Y
Grossman	Y	McElhany	N	Teck	Y		

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

SB06-044

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

Senator Hagedorn moved that the Senate concur in House amendments to **SB06-044**, as printed in House Journal, May 4, pages 1752-1753. The motion was **passed** by the following roll call vote:

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		

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	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	Y	Teck	N		

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

SB06-111 by Senator(s) Groff; also Representative(s) Marshall--Concerning a requirement of cultural competency for health-related professionals, and, in connection therewith, making an appropriation.

Senator Groff moved that the Senate concur in House amendments to **SB06-111**, as printed in House Journal, May 4, page 1753. The motion was **passed** by the following roll call vote:

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		

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

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

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

Co-sponsors added: Spence.

SB06-234

by Senator(s) Groff, Grossman; also Representative(s) Garcia--Concerning best value construction contracting for public projects procured by the state.

Senator Groff moved that the Senate concur in House amendments to **SB06-234**, as printed in House Journal, May 4, page 1754. The motion was **passed** by the following roll call vote:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	N	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	N	Tapia	Y	Windels	Y
Groff	Y	May R.	Y	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	N		

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

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

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

SB06-233

by Senator(s) Taylor, Isgar, Spence, Takis; also Representative(s) Coleman, Schultheis, Vigil, White--Concerning clarification of the existing authority of the state auditor to access confidential documents.

Senator Taylor moved that the Senate concur in House amendments to **SB06-233**, as printed in House Journal, May 4, page 1756. The motion was **passed** by the following roll call vote:

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		

The question being "Shall the bill, as amended, 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, as amended, was declared **repassed**.

SB06-072 by Senator(s) Tochtrop; also Representative(s) Harvey--Concerning increasing penalties for careless driving.

Senator Tochtrop moved that the Senate not concur in House amendments to **SB06-072**, as printed in House Journal, May 4, page 1755, and that a Conference Committee be appointed.

The motion was **adopted** on the following roll call vote:

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		

The President appointed Senators Tochtrop, Chairman, Grossman, and Brophy as Senate Conferees on the First Conference Committee on **SB06-072**.

SB06-239 by Senator(s) Johnson; also Representative(s) Stafford--Concerning the regulation of persons who provide for the final disposition of dead human bodies in the course of business, and making an appropriation therefor.

Senator Johnson moved that the Senate concur in House amendments to **SB06-239**, as printed in House Journal, May 4, page 1771. The motion was **passed** by the following roll call vote:

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		

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	N	Traylor	N
Brophy	N	Johnson	Y	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	N	President	Y
Grossman	Y	McElhany	N	Teck	N		

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

SB06-230 by Senator(s) Boyd; also Representative(s) Benefield--Concerning the regulation of wholesalers of prescription drugs, and making an appropriation therefor.

Senator Boyd moved that the Senate not concur in House amendments to **SB06-230**, as printed in House Journal, May 4, pages 1771-1772, and that a Conference Committee be appointed.

The motion was **adopted** on the following roll call vote:

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		

The President appointed Senators Boyd, Chairman, Tochtrop, and Johnson as Senate Conferees on the First Conference Committee on **SB06-230**.

Senator Boyd moved that the Senate Conferees on the First Conference Committee on **SB06-230** be granted permission to go beyond the scope of the differences between the two Houses.

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

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

Senator Entz moved that the Senate concur in House amendments to **SB06-173**, as printed in House Journal, May 4, pages 1773-1774. The motion was **passed** by the following roll call vote:

YES	34	NO	1	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	N
Grossman	Y	McElhany	Y	Teck	Y		

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

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

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

SB06-170 by Senator(s) Gordon; also Representative(s) Buescher--Concerning the conduct of elections, and making an appropriation therefor.

Senator Gordon moved that the Senate concur in House amendments to **SB06-170**, as printed in House Journal, May 4, page 1778. The motion was **passed** by the following roll call vote:

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		

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

YES	29	NO	6	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	N	Wiens	Y
Evans	Y	Kester	Y	Takis	Y	Williams	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	N	Teck	Y		

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

Senate in recess. Senate reconvened.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB06-150 by Senator(s) Grossman; also Representative(s) Hefley--Concerning DNA testing of all felons.

Senator Gordon moved that the Senate concur in House amendments to **SB06-150**, as printed in House Journal, May 4, pages 1779-1780. The motion was **passed** by the following roll call vote:

YES	33	NO	2	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	N
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	N
Grossman	Y	McElhany	Y	Teck	Y		

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

YES	34	NO	1	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.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

SB06-114

by Senator(s) Kester, Brophy, Taylor, Tochtrop; also Representative(s) Gardner-- Concerning the expansion of anaerobic controls to allow additional technologies to be used in the operation of housed commercial swine feeding operations, and making an appropriation in connection therewith.

Senator Kester moved that the Senate concur in House amendments to **SB06-114**, as printed in House Journal, May 4, pages 1780-1781. The motion was **passed** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	Y	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	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		

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

YES	34	NO	1	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.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

SB06-096

by Senator(s) Taylor; also Representative(s) Butcher--Concerning resources to fight wildfires.

Senator Taylor moved that the Senate concur in House amendments to **SB06-096**, as printed in House Journal, May 4, pages 1769-1770. The motion was **passed** by the following roll call vote:

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		

The question being "Shall the bill, as amended, 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, as amended, was declared **repassed**.

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1404** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB06-1158** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 2 through 19 and substitute the following:

"SECTION 1. 8-20-104 (1) and (2) (a), Colorado Revised Statutes, are amended to read:

8-20-104. Enforcement of law - penalties - definitions. (1) The director shall enforce the provisions of this article AND SECTIONS 22-32-124 AND 23-71-122, C.R.S., by appropriate actions in courts of competent jurisdiction.

(2) (a) The director may issue a notice of violation to a person who is believed to have violated this article, SECTION 22-32-124 OR 23-71-122, C.R.S., or rules promulgated pursuant to this article. The notice shall be delivered to the alleged violator personally, by certified mail, return receipt requested, or by any means that verifies receipt as reliably as certified mail, return receipt requested."

Renumber succeeding sections accordingly.

Page 3, line 22, strike "**planning.**" and substitute "**planning - definitions.**".

Page 4, strike lines 17 through 19 and substitute the following:

"THE DIRECTOR of the division of oil and public safety IN THE DEPARTMENT OF LABOR AND EMPLOYMENT, REFERRED TO IN THIS SECTION AS THE "DIVISION". Nothing";

line 23, after "(a)", insert "(I)".

Page 5, strike line 7 and substitute the following:

"department of a county, town, city, or city and county ~~wherein a~~ OR TO THE APPROPRIATE FIRE";

strike line 13 and substitute the following:

"and,

(II) THE DIVISION SHALL CAUSE COPIES OF THE BUILDING PLANS TO BE SENT TO THE APPROPRIATE FIRE DEPARTMENT FOR REVIEW OF FIRE SAFETY ISSUES. THE FIRE DEPARTMENT SHALL REVIEW THE BUILDING PLANS, DETERMINE WHETHER THE BUILDING OR STRUCTURE IS IN COMPLIANCE WITH THE FIRE CODE ADOPTED BY THE DIRECTOR OF THE

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DIVISION, AND RESPOND TO THE DIVISION WITHIN TEN BUSINESS DAYS; EXCEPT THAT THE FIRE DEPARTMENT MAY REQUEST AN EXTENSION OF THIS TIME FROM THE DIRECTOR OF THE DIVISION ON THE BASIS OF THE COMPLEXITY OF THE BUILDING PLANS.

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(III) IF THE FIRE DEPARTMENT DECLINES TO PERFORM THE PLAN REVIEW OR ANY SUBSEQUENT INSPECTION, OR IF NO CERTIFIED FIRE INSPECTOR IS AVAILABLE, THE DIVISION OF FIRE SAFETY IN THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY IN THE DEPARTMENT OF PUBLIC SAFETY SHALL PERFORM THE PLAN REVIEW OR INSPECTION. AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "CERTIFIED FIRE INSPECTOR" HAS THE SAME MEANING AS SET FORTH IN SECTION 24-33.5-1202 (2.5), C.R.S.

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(IV) If ~~such~~ THE building or structure is in";
line 15, strike "THE DIVISION OR THE";
line 16, strike "BUILDING DEPARTMENT, AFTER CONSULTING WITH" and substitute "AND IF";
line 17, strike "DEPARTMENT," and substitute "DEPARTMENT OR THE DIVISION OF FIRE SAFETY CERTIFIES THAT THE BUILDING OR STRUCTURE IS IN COMPLIANCE WITH THE FIRE CODE ADOPTED BY THE DIRECTOR OF THE DIVISION, THE DIVISION OR THE BUILDING DEPARTMENT";
line 21, after "determined", insert "BY THE DIVISION BY RULE";
strike line 22 and substitute the following:
"of providing ~~such~~ THE service.

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(V) If the division, ~~of oil and public safety,~~ .
Page 6, line 4, strike "~~county, town, city, or city and~~" and substitute "county, town, city, or city and";
line 5, strike "~~county~~" and substitute "county" and after "OR", insert "THE APPROPRIATE";
line 24, strike "ANY FEES";
strike lines 25 through 27.

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Page 7, line 1, strike "SECTION 24-33.5-1207.7, C.R.S.";
line 8, strike "~~Any fees collected~~" and substitute "Any fees collected";
strike lines 9 through 13 and substitute the following:
"by the division ~~of oil and public safety~~ pursuant to this paragraph (b) shall be transmitted to the state treasurer, who shall credit the same to the public safety inspection fund created pursuant to section 8-1-151, C.R.S.";

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line 15, strike "IN ACCORDANCE WITH SECTION" and substitute "BY THE INTERNATIONAL CODE COUNCIL, THE NATIONAL FIRE PROTECTION ASSOCIATION, OR ANOTHER SIMILAR NATIONAL ORGANIZATION OR HAVE EQUIVALENT QUALIFICATIONS, AS DETERMINED BY RULE PROMULGATED BY THE DIRECTOR OF THE DIVISION."
strike line 16;
after line 26, insert the following:

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"(f) THE RULES AUTHORIZED BY THIS SUBSECTION (2) SHALL BE ADOPTED IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S."

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Page 8, line 3, after "SCHOOL", insert "OR THE DIVISION OF FIRE SAFETY IN THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY IN THE DEPARTMENT OF PUBLIC SAFETY";

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line 10, strike "SECTION," and substitute "SUBSECTION (3),"; 1

line 18, strike "FIRE SAFETY IN THE OFFICE" and substitute "OIL AND 2
PUBLIC"; 3

line 19, strike "OF PREPAREDNESS, SECURITY, AND FIRE"; 4
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strike line 20 and substitute the following: 6
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"LABOR AND EMPLOYMENT."; 8
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line 23, strike "PUBLIC" and substitute "LABOR AND EMPLOYMENT."; 10
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strike line 24. 12
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Page 9, line 11, strike "PUBLIC" and substitute "LABOR AND 14
EMPLOYMENT."; 15
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line 12, strike "SAFETY.". 17
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Page 11, strike lines 9 through 11 and substitute the following: 19
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"DIRECTOR of the division of oil and public safety IN THE DEPARTMENT OF 22
LABOR AND EMPLOYMENT, REFERRED TO IN THIS SECTION AS THE 23
"DIVISION". The board"; 24
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line 17, after "(II)", insert "(A)"; 26
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line 26, strike "~~of a county, town, city, or city and~~" and substitute "of a 28
county, town, city, or city and"; 29
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line 27, strike "~~county wherein a~~ AND" and substitute "county wherein a 31
OR TO THE APPROPRIATE". 32
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Page 12, strike line 5 and substitute the following: 34
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~~"division of oil and public safety and,~~ 37
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(B) THE DIVISION SHALL CAUSE COPIES OF THE BUILDING PLANS TO 39
BE SENT TO THE APPROPRIATE FIRE DEPARTMENT FOR REVIEW OF FIRE 40
SAFETY ISSUES. THE FIRE DEPARTMENT SHALL REVIEW THE BUILDING 41
PLANS, DETERMINE WHETHER THE BUILDING OR STRUCTURE IS IN 42
COMPLIANCE WITH THE FIRE CODE ADOPTED BY THE DIRECTOR OF THE 43
DIVISION, AND RESPOND TO THE DIVISION WITHIN TEN BUSINESS DAYS; 44
EXCEPT THAT THE FIRE DEPARTMENT MAY REQUEST AN EXTENSION OF THIS 45
TIME FROM THE DIRECTOR OF THE DIVISION ON THE BASIS OF THE 46
COMPLEXITY OF THE BUILDING PLANS. 47
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(C) IF THE FIRE DEPARTMENT DECLINES TO PERFORM THE PLAN 49
REVIEW OR ANY SUBSEQUENT INSPECTION, OR IF NO CERTIFIED FIRE 50
INSPECTOR IS AVAILABLE, THE DIVISION OF FIRE SAFETY IN THE OFFICE OF 51
PREPAREDNESS, SECURITY, AND FIRE SAFETY IN THE DEPARTMENT OF 52
PUBLIC SAFETY SHALL PERFORM THE PLAN REVIEW OR INSPECTION. AS 53
USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, 54
"CERTIFIED FIRE INSPECTOR" HAS THE SAME MEANING AS SET FORTH IN 55
SECTION 24-33.5-1202 (2.5), C.R.S. 56
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(D) If ~~such~~ THE building or structure"; 58

line 7, strike "THE BUILDING DEPARTMENT"; 59
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line 8, strike "OR THE DIVISION, AFTER CONSULTING WITH" and substitute 61
"AND IF"; 62
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line 9, strike "DEPARTMENT," and substitute "DEPARTMENT CERTIFIES 64
THAT THE BUILDING OR STRUCTURE IS IN COMPLIANCE WITH THE FIRE CODE 65
ADOPTED BY THE DIRECTOR OF THE DIVISION, THE DIVISION OR THE 66
BUILDING DEPARTMENT"; 67
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line 13, after "DETERMINED", insert "BY THE DIVISION BY RULE"; 69
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strike line 14 and substitute the following: 71
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"COST OF PROVIDING THE SERVICE. 1

(E) If the division, ~~of oil and public safety~~;" 2

line 22, strike "~~county, town, city, or city and county~~" and substitute 3

"county, town, city, or city and county"; 4

line 23, after "OR", insert "THE APPROPRIATE". 5

Page 13, line 19, strike "IN ACCORDANCE WITH SECTION" and substitute 6

"BY THE INTERNATIONAL CODE COUNCIL, THE NATIONAL FIRE PROTECTION 7

ASSOCIATION, OR ANOTHER SIMILAR NATIONAL ORGANIZATION OR HAVE 8

EQUIVALENT QUALIFICATIONS, AS DETERMINED BY RULE PROMULGATED 9

BY THE DIRECTOR OF THE DIVISION."; 10

strike line 20. 11

Page 14, line 15, strike "SCHOOL" and substitute "PUBLIC"; 12

line 16, strike "24-33.5-1207.7," and substitute "8-1-151,"; 13

line 23, strike "SUBPARAGRAPH" and substitute "PARAGRAPH"; 14

line 24, strike "(VII)" and substitute "(v)"; 15

strike lines 26 and 27. 16

Strike page 15. 17

Page 16, strike lines 1 through 23. 18

Renumber succeeding sections accordingly. 19

Page 17, strike lines 2 through 6; 20

strike line 12 and substitute the following: 21

"24-33.5-1211.". 22

Page 18, line 6, strike "OR AUTHORIZE"; 23

strike line 7; 24

line 8, strike "BUILDINGS AND STRUCTURES" and after "22-32-124", insert 25

"(2) (a)"; 26

line 9, strike "23-71-122," and substitute "23-71-122 (1) (v) (II),"; 27

strike line 27. 28

Page 19, strike lines 1 and 2. 29

Renumber succeeding paragraphs accordingly. 30

Page 19, strike lines 9 through 27. 31

Page 20, strike lines 1 and 2; 32

line 3, strike "~~24-33.5-1212.~~" and substitute "~~24-33.5-1211.~~"; 33

line 4, strike "BUILDING OR"; 34

line 6, strike "OR BUILDING"; 35

line 10, strike "OR BUILDING"; 36

line 12, strike "OR BUILDING"; 37

line 21, strike "BUILDING OR". 38

Page 21, line 3, strike "OR BUILDING"; 39

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strike lines 14 through 27 and substitute the following:

"SECTION 10. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the public safety inspection fund created in section 8-1-151, Colorado Revised Statutes, not otherwise appropriated, to the department of labor and employment, for allocation to the division of oil and public safety, for the fiscal year beginning July 1, 2006, the sum of seventy-two thousand six hundred forty-seven dollars (\$72,647) and 1.0 FTE, or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, to the department of public safety, for allocation to the division of fire safety in the office of preparedness, security, and fire safety, for the fiscal year beginning July 1, 2006, the sum of fifty-five thousand six hundred forty-five dollars (\$55,645) cash funds and 1.0 FTE, or so much thereof as may be necessary, for the implementation of this act. Of said sum, forty-nine thousand twenty dollars (\$49,020) shall be from the public safety inspection fund created in section 8-1-151, Colorado Revised Statutes, and six thousand six hundred twenty-five dollars (\$6,625) shall be from the firefighter and first responder certification fund established in section 24-33.5-1207, Colorado Revised Statutes."

Page 22, strike line 1.

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON SB06-131

***** THIS REPORT AMENDS THE REREVISED BILL *****

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

Your first conference committee appointed on SB06-131, concerning reimbursement under the medical assistance program for nursing facility providers, and making an appropriation therefor, has met and reports that it has agreed upon the following:

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

Amend rerevised bill, page 6, line 9, strike "declaration." and substitute "declaration - repeal.";

line 10, after "(b)", insert "(I)";

strike lines 16 through 20 and substitute the following:

"services costs shall not exceed eight percent per year. The";

after line 23, insert the following:

"(II) (A) FOR THE FISCAL YEAR BEGINNING JULY 1, 2006, THE EIGHT-PERCENT LIMITATION ESTABLISHED PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) SHALL NOT APPLY TO A CLASS I FACILITY WITH AN AVERAGE ANNUAL MEDICAID RESIDENT CENSUS THAT EXCEEDS SIXTY-FOUR PERCENT OF THE NUMBER OF ACTUAL RESIDENTS OR TO A CLASS I FACILITY WHOSE RATE MAY BE INCREASED PURSUANT TO THE PROVISIONS OF SUBSECTION (6) OF THIS SECTION.

(B) THIS SUBSECTION (II) IS REPEALED, EFFECTIVE JULY 1, 2007."

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Respectfully submitted,

Senate Committee:
(signed)
Senator Tochtrop, Chair
Senator Traylor
Senator Sandoval

House Committee:
(signed)
Representative McFayden, Chair
Representative White
Representative Riesberg

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB06-1257

THIS REPORT AMENDS THE
REREVISED BILL

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

Your first conference committee appointed on HB06-1257,
concerning noise mitigation measures along state highways, and making
an appropriation therefor, has met and reports that it has agreed upon the
following:

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

Amend rerevised bill, page 4, line 10, after "(b)", insert "(I)".

Page 5, line 1, strike "THE";

strike lines 2 through 4.

Respectfully submitted,

House Committee:
(signed)
Representative Pommer, Chair
Representative Hefley
Representative Green

Senate Committee:
(signed)
Senator Keller, Chair
Senator Takis
Senator Johnson

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB06-047

THIS REPORT AMENDS THE
REREVISED BILL

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

Your first conference committee appointed on SB06-047,
concerning the provision of health care services by local governmental
entities, and, in connection therewith, allowing such districts to be created
in any part of the state authorizing such districts to levy a sales tax and
authorizing counties to impose a sales tax for the purpose of providing
health care services, has met and reports that it has agreed upon the
following:

1. That the Senate accede to the House amendment made to the

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bill, as the amendment appears in the rerevised bill.

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

Amend rerevised bill, page 3, after line 12, insert the following:

"SECTION 4. 32-1-805 (1), Colorado Revised Statutes, is amended, and the said 32-1-805 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

32-1-805. Time for holding elections. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (4) OF THIS SECTION, regular special district elections shall be held on the Tuesday succeeding the first Monday of May in every even-numbered year.

(4) FOR A HEALTH ASSURANCE DISTRICT, REGULAR SPECIAL DISTRICT ELECTIONS SHALL BE HELD ON THE DATE OF THE GENERAL ELECTION OR ON THE FIRST TUESDAY IN NOVEMBER OF AN ODD-NUMBERED YEAR, AND ANY ELECTION ON THE PROPOSAL SHALL BE CONDUCTED BY THE COUNTY CLERK AND RECORDER AS PART OF A COORDINATED ELECTION IN ACCORDANCE WITH THE PROVISIONS OF SECTION 1-7-116, C.R.S."

Renumber succeeding sections accordingly.

Page 13, line 6, strike "**Persons**" and substitute "**Time for holding elections - persons**";

strike line 7 and substitute the following:

"elections. (1) FOR A HEALTH ASSURANCE DISTRICT, REGULAR SPECIAL DISTRICT ELECTIONS SHALL BE HELD ON THE DATE OF THE GENERAL ELECTION OR ON THE FIRST TUESDAY IN NOVEMBER OF AN ODD-NUMBERED YEAR, AND ANY ELECTION ON THE PROPOSAL SHALL BE CONDUCTED BY THE COUNTY CLERK AND RECORDER AS PART OF A COORDINATED ELECTION IN ACCORDANCE WITH THE PROVISIONS OF SECTION 1-7-116, C.R.S.

(2) NOTWITHSTANDING THE PROVISIONS OF SECTION 32-1-806,".

Respectfully submitted,

Senate Committee:
(signed)
Senator Hagedorn, Chair
Senator Takis
Senator Johnson

House Committee:
(signed)
Representative Riesberg, Chair
Representative Weissmann
Representative McCluskey

SENATE RECEDE ON SB06-089

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

Senator Hagedorn moved that the Senate recede from its position, that the Conference Committee be dissolved and that the Senate Conferees be discharged and that the Senate concur in House Amendments. The motion was declared **adopted** by the following roll call vote:

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		

The question being "Shall the bill, as amended, 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**.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

SB06-036 by Senator(s) Hagedorn; also Representative(s) Marshall--Concerning the types of health benefit plans required to be offered by small employer carriers to small employers in the state.

Senator Hagedorn moved that the Senate Conferrees on the First Conference Committee on **SB06-036** be granted permission to go beyond the scope of the differences between the two Houses.

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

On motion of Senator Gordon, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB06-1404, HB06-1158 were made Special Orders at 3:53 p.m.

Committee of the Whole The hour of 3:53 p.m. having arrived, Senator Evans moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Evans 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:

HB06-1404 by Representative(s) Todd, Balmer, Benefield, Borodkin, Garcia, Merrifield, Pommer, Solano; also Senator(s) Bacon--Concerning the creation of a support education special license plate, and making an appropriation therefor.

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

HB06-1158 by Representative(s) Weissmann; also Senator(s) Tupa, Groff, Grossman--Concerning school safety inspections, and making an appropriation in connection therewith.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, May 5, pages 1291-1295 and placed in members' bill files.)

Amendment No. 2(L.006), by Senator Tupa.

Amend the Appropriations Committee Report, dated May 5, 2006, page 6, after line 5, insert the following:

"Page 13, line 8, after "district", insert "OR THE DIVISION OF FIRE SAFETY IN THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY IN THE DEPARTMENT OF PUBLIC SAFETY";

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line 6, strike "Page 13,"."

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Evans, 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: HB06-1404, HB06-1158 as amended.

MESSAGE FROM THE HOUSE

May 5, 2006
Madame President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB06-235, amended as printed in House Journal, May 4, pages 1770-1771, and amended on Third Reading as printed in House Journal, May 5.

MESSAGE FROM THE REVISOR OF STATUTES

May 5, 2006

We herewith transmit:

Without comment, as amended, SB06-235.

On motion of Senator Gordon, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB06-235 by Senator(s) Sandoval; also Representative(s) Marshall, Buescher--Concerning public employees' retirement benefit plans.

Senator Sandoval moved that the Senate concur in House amendments to **SB06-235**, as printed in House Journal, May 4, pages 1770-1771. The motion was **passed** by the following roll call vote:

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		

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

YES	33	NO	2	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	N	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	N	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

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

Co-sponsors added: Boyd, Gordon and Tochtrop.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB06-179 by Senator(s) Isgar; also Representative(s) Penry--Concerning additional financial support for water projects.

Senator Isgar moved that the Senate not concur in House amendments to **SB06-179**, as printed in House Journal, May 4, page 1729, 1755-1756, and amended on Third Reading, May 5, and that a Conference Committee be appointed.

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

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Isgar, Chairman, Tapia, and Entz as Senate Conferees on the First Conference Committee on **SB06-179**.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Conference Committee Reports -- HB06-1337, HB06-1257.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB06-1337 by Representative(s) Butcher, Gallegos, McKinley; also Senator(s) Entz, Taylor-- Concerning penalties levied against a person who violates water quality control provisions, and making an appropriation therewith.

Senator Entz moved for the adoption of the First Report of the First Conference Committee on **HB06-1337**, as printed in Senate Journal, May 5, pages 1281-1282. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	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	N		

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	N	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	N
Brophy	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	Jones	N	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	Y	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, as amended, was declared **repassed**.

HB06-1257 by Representative(s) Green; also Senator(s) Keller--Concerning noise mitigation measures along state highways, and making an appropriation therefor.

Senator Keller moved for the adoption of the First Report of the First Conference Committee on **HB06-1257**, as printed in Senate Journal, May 5, pages 1296-1297. The motion was **adopted** by the following roll call vote:

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		

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

YES	28	NO	6	EXCUSED	1	ABSENT	0
Bacon	Y	Hagedorn	Y	Mitchell	E	Tochtrop	Y
Boyd	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	N	Johnson	Y	Sandoval	Y	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	Y	Lamborn	N	Tapia	Y	Windels	Y
Groff	Y	May R.	N	Taylor	N	President	Y
Grossman	Y	McElhany	N	Teck	Y		

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

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR06-029 by Senator(s) Gordon; --Concerning the ONE Campaign to alleviate poverty and global AIDS.

On motion of Senator Gordon, the resolution was **adopted** by 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	N	Johnson	Y	Sandoval	Y	Tupa	Y
Dyer	N	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.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

Co-sponsors added: Boyd, Fitz-Gerald, Groff, Grossman, Shaffer, Tapia, Tochtrop, Veiga, Williams and Windels.

SJR06-036 by Senator(s) Bacon; also Representative(s) Benefield, Todd, Lindstrom, Solano, Vigil-- Concerning designation of 2006 as the Year of Study Abroad for Colorado.

On motion of Senator Bacon, the resolution was **adopted** by the following roll call vote:

YES	33	NO	1	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	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.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

Co-sponsors added: Fitz-Gerald, Groff, Shaffer, Tupa, Williams and Windels.

SJR06-040 by Senator(s) Boyd; also Representative(s) Kerr A.--Concerning pandemic planning.

On motion of Senator Boyd, the resolution was **adopted** by the following roll call vote:

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		

Co-sponsors added: Bacon, Fitz-Gerald, Gordon, Groff, Grossman, Sandoval, Shaffer, Tapia, Traylor, Tupa, Veiga, Williams and Windels.

SJR06-043 by Senator(s) Isgar, Williams; also Representative(s) Cloer--Concerning budget cuts to federal programs that benefit American Indians.

On motion of Senator Isgar, the resolution was read at length and **adopted** by the following roll call vote:

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		

Co-sponsors added: Boyd, Fitz-Gerald, Groff, Sandoval, Shaffer, Tapia, Taylor, Tochtrop, Veiga and Windels.

SJR06-045 by Senator(s) Windels; also Representative(s) Green--Concerning encouragement by the Colorado general assembly to public and private employers to accommodate the religious practices of their employees.

On motion of Senator Windels, the resolution was **adopted** by the following roll call vote:

YES	34	NO	1	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.	N	Taylor	Y	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

Co-sponsors added: Bacon, Boyd, Dyer, Gordon, Groff, Grossman, Sandoval, Shaffer and Tochtrop.

SJR06-051 by Senator(s) McElhany, Fitz-Gerald, Gordon; also Representative(s) Madden, Romanoff, May M.--Concerning the convening date for the 2007 First Regular Session of the Sixty-sixth General Assembly.

On motion of Senator McElhany, the resolution was **adopted** by the following roll call vote:

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		

SJR06-052 by Senator(s) Gordon, Fitz-Gerald, McElhany; also Representative(s) Madden, Romanoff, May M.--Concerning the appointment of a joint committee to notify the Governor that the Second Regular Session of the Sixty-fifth General Assembly is about to adjourn sine die.

On motion of Senator Gordon, the resolution was **adopted** by the following roll call vote:

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		

The President appointed Senator Grossman and Senator Teck as members of the joint committee to notify the Governor.

COMMITTEE OF REFERENCE REPORTS

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB06-138**

**THIS REPORT AMENDS THE
REENGROSSED BILL**

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

Your first conference committee appointed on SB06-138,
concerning the requirement that gasoline contain at least a specified
percentage of ethanol by volume, and making an appropriation therefor,
has met and reports that it has agreed upon the following:

1. That the House recede from its amendments made to the bill,
as said amendments appear in the rerevised bill, and the following
amendment be substituted therefor:

Amend reengrossed bill, page 4, line 7, strike "ACCURATELY REFLECT THE
ETHANOL" and substitute "STATE THAT THE PRODUCT BEING DISPENSED
CONTAINS ETHANOL.";

strike lines 8 through 10.

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

Amend reengrossed bill, page 2, line 5, strike "SEVENTY-FIVE" and
substitute "AT LEAST SEVENTY-FIVE".

Page 3, line 1, strike "COLORADO," and substitute "COLORADO ON A
STATE-WIDE, AGGREGATE BASIS,";

line 22, strike "IS AT LEAST TEN CENTS PER GALLON HIGHER THAN" and
substitute "EXCEEDS";

after line 23, insert the following:

"(5) (a) IN DETERMINING WHETHER OR NOT THE REQUIREMENT SET
FORTH IN SUBSECTION (1) OF THIS SECTION IS MET, THE DEPARTMENT
SHALL, ON A MONTHLY BASIS BETWEEN NOVEMBER AND APRIL, FIRST
DETERMINE IF AT LEAST SEVENTY-FIVE PERCENT OF ALL FUEL SOLD IN
COLORADO ON A STATE-WIDE, AGGREGATE BASIS CONTAINED TEN
PERCENT ETHANOL BY VOLUME.

(b) IF, AFTER GIVING CREDIT TO EACH GALLON OF E10, E85, AND
CELLULOSIC ETHANOL SOLD, AT LEAST SEVENTY-FIVE PERCENT OF ALL
FUEL SOLD IN COLORADO ON A STATE-WIDE, AGGREGATE BASIS
CONTAINED TEN PERCENT ETHANOL BY VOLUME, THEN THE REQUIREMENT
OF SUBSECTION (1) OF THIS SECTION SHALL BE DEEMED SATISFIED, AND
THE DEPARTMENT SHALL TAKE NO FURTHER ACTION.

(c) IF THE REQUIREMENT SET FORTH IN SUBSECTION (1) OF THIS
SECTION HAS NOT BEEN MET ON A MONTHLY BASIS BETWEEN NOVEMBER
AND APRIL, THE DEPARTMENT SHALL ASSESS PENALTIES PURSUANT TO
SECTION 8-20-104, C.R.S., AGAINST EACH NONEXEMPT DISTRIBUTOR OR
ENTITY REQUIRED TO FILE IRS FORM 637 THAT DID NOT ACHIEVE THE
SEVENTY-FIVE PERCENT REQUIREMENT AT THE DISTRIBUTOR'S OR ENTITY'S
FACILITY.

(d) PENALTIES ASSESSED PURSUANT TO SECTION 8-20-104, C.R.S.,
AGAINST EACH NONEXEMPT DISTRIBUTOR OR ENTITY REQUIRED TO FILE
IRS FORM 637 SHALL NOT EXCEED FIVE HUNDRED DOLLARS PER MONTH."

Renumber succeeding subsections accordingly.

Respectfully submitted,

Senate Committee:
(signed)
Senator Shaffer, Chair
Senator Grossman
Senator Entz

House Committee:
(signed)
Representative Curry, Chair
Representative Plant
Representative Gardner

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MESSAGE FROM THE GOVERNOR

May 4, 2006

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

Ladies and Gentleman:

I am filing with the Secretary of State Senate Bill 06-145, "Concerning the authority of a local government to impose a fee on certain medical providers for purposes of obtaining federal financial participation under Medicaid for unreimbursed Medicaid costs." I will neither sign nor veto Senate Bill 06-145. Therefore, this bill becomes law at 12:01 a.m. on May 5, 2006. This letter sets forth my reasons for letting this bill become law without my signature.

Senate Bill 145 addresses a serious problem facing Colorado's health care providers: unreimbursed costs for treatment of our Medicaid population. The legislation permits local governments to impose a fee on health-care providers, allowing those providers to then draw an equal amount from the federal government to be used to reimburse for services to Medicaid patients. I am hopeful that S.B. 145, without requiring additional General Fund dollars, will generate additional federal revenue to help with our state's growing unreimbursed costs. While unreimbursed health care costs directly hurt our hospitals and physicians, they also harm the general population and employers, who pay higher rates to offset money lost from Medicaid patients.

But in order for this plan to work, the State will first have to gain approval from the federal Centers for Medicare and Medicaid Services (CMS). Approval is uncertain, especially in light of the increased scrutiny CMS is currently giving to such changes in state plans in order to generate additional federal revenue. Furthermore, the Colorado Department of Health Care Policy and Financing has still not ascertained the legality of S.B. 145.

I am also concerned about the manner in which the fee will be imposed. S.B. 145 sets a maximum fee; however, it does not set a single consistent statewide rate. This could create difficulties for state and local tax policies and allow for more local taxing districts at a time when we should be supporting a simplified tax system.

While I have some reservations about S.B. 145, I trust this legislation's many supporters, such as the Colorado Health and Hospital Association, Colorado Counties, and the Homecare Association. I agree with them that Colorado should take advantage of available federal funds to address the growing problem of unreimbursed medical costs.

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

Sincerely,
(signed)
Bill Owens
Governor
Rec'd 5/5/06, 3:30 p.m.
Karen Kuhlmann, Asst. Secy. of the Senate

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, May 5, 2006, at 3:30 p.m.:

SB06-028 and 100.

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 May 5 was laid over until Monday, May 8, retaining its place on the calendar.

Consideration of Resolutions:, SJR06-022, HJR06-1016, SR06-010, SJR06-049,

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SR06-012, HJR06-1023, HJR06-1024, HJR06-1025, HJR06-1034, HJR06-1035, SJR06-048.	1
Consideration of Memorials: SJM06-001, HJM06-1002.	2
Consideration of Governor's Vetoes: SB06-052.	3
Consideration of Governor's Appointments:	4
Members of the Read-To-Achieve Board.	5
Members of the Financial Services Board.	6
Members of the Colorado Banking Board.	7
Member of the Board of Trustees for Western State College of Colorado.	8
Executive Director of the Colorado Commission on Higher Education.	9
Member of the Colorado State Fair Authority Board of Commissioners.	10
Member of the CoverColorado Board of Directors.	11
Members of the Examining Board of Plumbers.	12
Members of the Colorado Tourism Office Board of Directors.	13
Members of the Colorado Limited Gaming Control Commission.	14
State Board of Equalization.	15
Member of the State Board of Stock Inspection Commissioners.	16
Members of the State Board of Nursing.	17
Members of the Air Quality Control Commission.	18
Members of the Colorado Children's Trust Fund Board.	19
Member of the Board of Trustees for Western State College of Colorado.	20
Member of the Colorado School of Mines, Board of Trustees.	21
Members of the Charter School Institute Board.	22
Members of the Board of Trustees for the University of Northern Colorado.	23
Members of the State Electrical Board.	24
Executive Director of the Department of Labor and Employment.	25
Board of Directors of Denver Metropolitan Major League Stadium District.	26
Member of the Workers' Compensation Cost Containment Board.	27
Office of Secretary of State of the State of Colorado.	28
Consideration of Conference Committee Reports: SB06-051, SB06-080, SB06-224.	29
Conference Committees to Report: HB06-1121, SB06-036.	30

On motion of Senator Gordon, the Senate adjourned until 10:00 a.m., Monday, May 8,
2006.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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