

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

83rd Legislative Day

Monday, April 3, 2006

Prayer By the chaplain, Father Louis Christopulos, St. Catherine Greek Orthodox Church, Denver.

Pledge By Senator Grossman

Call to Order By the President at 10:00 a.m.

Roll Call Present--33.
Absent--1; Wiens
Excused--1; Evans.
Present later--Evans, Wiens.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Hagedorn, reading of the Journal of March 31, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.

INTRODUCTION OF BILLS -- FIRST READING

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

SB06-226 by Senator(s) Grossman; also Representative(s) Curry--Concerning enforcement of air quality controls for housed commercial swine feeding operations.
Agriculture, Natural Resources & Energy

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

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

COMMITTEE OF REFERENCE REPORTS

Education After consideration on the merits, the Committee recommends that **HB06-1375** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 5, line 26, strike "amended" and substitute "amended, and the said 19-2-402 (3) is further amended BY THE ADDITION OF A NEW PARAGRAPH,".

Page 6, after line 8, insert the following:

"(c) (I) FOR THE 2006-07 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, THE EXPENSES INCURRED BY A SCHOOL DISTRICT PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (3) SHALL BE SHARED AND PAID BY THE SCHOOL DISTRICT, EACH CHARTER SCHOOL OF THE DISTRICT, AND EACH INSTITUTE CHARTER SCHOOL LOCATED IN THE SCHOOL DISTRICT.

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EACH CHARTER SCHOOL OF THE DISTRICT AND INSTITUTE CHARTER SCHOOL SHALL PAY IN THE PROPORTION THAT THE CHARTER SCHOOL OF THE DISTRICT'S OR INSTITUTE CHARTER SCHOOL'S ENROLLMENT BEARS TO THE TOTAL DISTRICT ENROLLMENT.

(II) FOR THE PURPOSE OF THIS PARAGRAPH (c), "TOTAL DISTRICT ENROLLMENT" MEANS THE TOTAL OF THE PUPIL ENROLLMENT IN THE SCHOOL DISTRICT, PLUS THE DISTRICT ON-LINE ENROLLMENT, THE DISTRICT PRESCHOOL AND KINDERGARTEN PROGRAM ENROLLMENT, AND THE PUPIL ENROLLMENT IN EACH INSTITUTE CHARTER SCHOOL THAT IS LOCATED WITHIN THE SCHOOL DISTRICT, AS DETERMINED IN ACCORDANCE WITH ARTICLE 54 OF TITLE 22, C.R.S.

SECTION 5. Part 1 of article 2 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

22-2-128. Department of education - reciprocal agreements with adjacent states - report. (1) THE DEPARTMENT SHALL, TO THE EXTENT THAT EACH STATE THAT IS ADJACENT TO COLORADO AND THAT IS AGREEABLE, NEGOTIATE A RECIPROCAL AGREEMENT WITH EACH SUCH STATE TO ALLOW A CHILD WHO IS A RESIDENT OF ONE STATE TO ATTEND A PUBLIC SCHOOL IN THE OTHER STATE WITHOUT PAYING TUITION WHEN THE GEOGRAPHIC CONDITIONS OR DISTANCES ARE SUCH THAT IT WOULD BE IMPRACTICABLE FOR THE CHILD TO ATTEND THE SCHOOLS OF HIS OR HER OWN STATE.

(2) ON OR BEFORE JANUARY 31, 2007, THE DEPARTMENT SHALL SUBMIT TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, A REPORT THAT INCLUDES BUT NEED NOT BE LIMITED TO A LIST OF THE STATES THAT ARE ADJACENT TO COLORADO THAT HAVE ENTERED INTO A RECIPROCAL AGREEMENT WITH COLORADO PURSUANT TO SUBSECTION (1) OF THIS SECTION.

SECTION 6. 22-20-109 (5) (a) and (6), Colorado Revised Statutes, are amended to read:

22-20-109. Tuition. (5) (a) When a child with a disability enrolls in and attends a district charter school pursuant to the provisions of part 1 of article 30.5 of this title, including a charter school that provides an on-line program pursuant to section 22-33-104.6, the district of residence shall be responsible for paying to the district charter school the tuition charge for the excess costs incurred in educating the child. THE DISTRICT CHARTER SCHOOL SHALL NOT CHARGE THE DISTRICT OF RESIDENCE TUITION FOR THE EXCESS COSTS INCURRED IN EDUCATING A CHILD WITH A DISABILITY WHO RECEIVES EDUCATIONAL SERVICES FROM THE DISTRICT CHARTER SCHOOL FOR LESS THAN A PERCENTAGE OF TIME SPECIFIED BY RULE OF THE STATE BOARD. The tuition responsibility shall be reflected in a contract between the charter school and the district of residence in a form approved by the chartering district. The charter school shall provide notice to the district of residence in accordance with state board rules adopted pursuant to subsection (7) of this section when a child with a disability applies to enroll in the charter school. The amount of the tuition charge shall be determined pursuant to rules adopted by the state board pursuant to subsection (7) of this section. Under the circumstances described in this subsection (5), the provisions of section 22-20-108 (8) shall not apply.

(6) When a child with a disability enrolls in and attends an on-line program pursuant to section 22-33-104.6 that is not provided by a charter school, the district of residence shall be responsible for paying to the provider of the on-line program the tuition charge for the excess costs incurred in educating the child. THE PROVIDER OF THE ON-LINE PROGRAM SHALL NOT CHARGE THE DISTRICT OF RESIDENCE TUITION FOR THE EXCESS COSTS INCURRED IN EDUCATING A CHILD WITH A DISABILITY WHO RECEIVES EDUCATIONAL SERVICES FROM THE PROVIDER OF THE ON-LINE PROGRAM FOR LESS THAN A PERCENTAGE OF TIME SPECIFIED BY RULE OF THE STATE BOARD. The tuition responsibility shall be reflected in a contract between the district of attendance and the district of residence in a form approved by the state board. The on-line provider shall provide notice to the district of residence in accordance with state board rules

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adopted pursuant to subsection (7) of this section when a child with a disability applies to enroll in the on-line program. The amount of the tuition charge shall be determined pursuant to rules adopted by the state board pursuant to subsection (7) of this section. Under the circumstances described in this subsection (6), the provisions of section 22-20-108 (8) shall not apply."

Renumber succeeding sections accordingly.

Page 15, line 15, strike "A PRIMARY OR SECONDARY" and substitute "AN";

line 18, after "STATUS,", insert "THAT PROVIDES A COMPREHENSIVE EDUCATION AND IS THE PRIMARY INSTITUTION RESPONSIBLE FOR THE STUDENTS' EDUCATION,".

Page 16, strike lines 2 through 27.

Page 17, strike line 1 and substitute the following:

"(b) FOR PURPOSES OF THIS SECTION, AN APPLICANT IS DEEMED TO HAVE SUBMITTED AN APPLICATION TO CONVERT A PRIVATE SCHOOL INTO A CHARTER SCHOOL IF:

(I) THE ADMINISTRATION, GOVERNANCE, AND OPERATION OF THE PROPOSED CHARTER SCHOOL WILL BE SUBSTANTIALLY THE SAME AS IT IS FOR THE PRIVATE SCHOOL;

(II) THE PRIVATE SCHOOL WILL COMPLETELY OR SUBSTANTIALLY CEASE TO EXIST AS A PRIVATE SCHOOL OR PROGRAM UPON OPENING OF THE PROPOSED CHARTER SCHOOL; OR

(III) THE PRIVATE SCHOOL WILL OPERATE CONCURRENTLY IN THE SAME FACILITY AS THE PROPOSED CHARTER SCHOOL.

SECTION 11. Part 1 of article 30.5 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

22-30.5-116. Charter school affiliation working group - repeal.

(1) THERE IS HEREBY CREATED A CHARTER SCHOOL AFFILIATION WORKING GROUP. ALL MEMBERS OF THE WORKING GROUP SHALL SERVE WITHOUT COMPENSATION, WITHOUT PER DIEM, AND WITHOUT REIMBURSEMENT FOR EXPENSES INCURRED IN CONNECTION WITH SERVING ON THE WORKING GROUP.

(2) THE WORKING GROUP SHALL BE COMPOSED OF SIX MEMBERS WHO SHALL BE APPOINTED BY AUGUST 1, 2006, AS FOLLOWS:

(a) ONE MEMBER WHO REPRESENTS THE STATE BOARD OF EDUCATION WHO IS APPOINTED BY THE STATE BOARD OF EDUCATION;

(b) ONE MEMBER WHO REPRESENTS CHARTER SCHOOLS WHO IS APPOINTED BY THE CHAIRS OF THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES;

(c) ONE MEMBER WHO REPRESENTS SCHOOL BOARDS WHO IS RECOMMENDED BY A STATEWIDE ORGANIZATION OF SCHOOL BOARDS AND APPOINTED BY THE CHAIRS OF THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES;

(d) ONE MEMBER WHO REPRESENTS TEACHERS WHO IS RECOMMENDED BY A STATEWIDE ORGANIZATION OF TEACHERS AND APPOINTED BY THE CHAIRS OF THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES;

(e) ONE MEMBER WHO REPRESENTS SCHOOL ADMINISTRATORS WHO IS RECOMMENDED BY A STATEWIDE ORGANIZATION OF SCHOOL ADMINISTRATORS AND APPOINTED BY THE CHAIRS OF THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES; AND

(f) ONE MEMBER FROM AN ORGANIZATION WORKING TO IMPROVE

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SCHOOL REFORM AND INNOVATION WHO IS APPOINTED BY THE CHAIRS OF THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.

(3) THE WORKING GROUP SHALL EXAMINE FURTHER CLARIFICATIONS, DEFINITIONS, AND GUIDELINES REGARDING PRIVATE SCHOOLS AND AFFILIATION ASSOCIATED WITH CHARTER SCHOOL APPLICATIONS. THE WORKING GROUP SHALL ALSO EXAMINE THE HISTORY OF PREEXISTING EDUCATIONAL PROGRAMS THAT HAVE BECOME CHARTER SCHOOLS.

(4) ON OR BEFORE DECEMBER 15, 2006, THE WORKING GROUP SHALL SUBMIT ITS FINDINGS REGARDING RECOMMENDATIONS FOR FURTHER CLARIFICATIONS, DEFINITIONS, AND GUIDELINES REGARDING PRIVATE SCHOOLS AND AFFILIATION ASSOCIATED WITH CHARTER SCHOOL APPLICATIONS TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVE AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.

(5) THIS SECTION IS REPEALED, EFFECTIVE FEBRUARY 1, 2007."

Renumber succeeding sections accordingly.

Page 17, strike lines 13 through 27.

Strike pages 18 through 23.

Page 24, strike lines 1 through 18.

Renumber succeeding sections accordingly.

Page 26, strike lines 21 through 27.

Strike page 27.

Page 28, strike lines 1 through 15.

Renumber succeeding sections accordingly.

Page 30, line 18, strike "AND" and substitute "OR".

Page 31, strike lines 22 and 23 and substitute the following:

"SUBJECT areas of ~~reading, writing, mathematics, and science~~ IN WHICH THE FACILITY SCHOOL WILL OFFER A SUMMER SCHOOL PROGRAM PURSUANT TO THIS ARTICLE, including their levels of performance IN THOSE SUBJECT AREAS on the";

line 26, strike "AND" and substitute "OR" and, strike "curricula" and substitute "curricula, AS APPLICABLE,".

Page 32, line 1, strike "AND MATHEMATICS" and substitute "OR MATHEMATICS, AS APPLICABLE,";

line 4, strike "AND" and substitute "OR";

line 5, strike "MATHEMATICS" and substitute "MATHEMATICS, AS APPLICABLE,";

line 16, strike "AND" and substitute "OR".

Page 33, line 13, strike "AND" and substitute "OR";

line 14, strike "mathematics and science" and substitute "mathematics, and science AS APPLICABLE,".

Page 34, after line 19, insert the following:

"SECTION 21. The introductory portion to 31-25-107 (9) (a), Colorado Revised Statutes, is amended, and the said 31-25-107 (9) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

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31-25-107. Approval of urban renewal plans by the local governing body. (9) (a) Notwithstanding any law to the contrary, AND SUBJECT TO THE REQUIREMENTS OF PARAGRAPH (g) OF THIS SUBSECTION (9), any urban renewal plan, as originally approved or as later modified pursuant to this part 1, may contain a provision that taxes, if any, levied after the effective date of the approval of such urban renewal plan upon taxable property in an urban renewal area each year or that municipal sales taxes collected within said area, or both such taxes, by or for the benefit of any public body shall be divided for a period not to exceed twenty-five years after the effective date of adoption of such a provision, as follows:

(g) FIFTY PERCENT OF THE INCREMENT RESULTING FROM THE LEVYING OR IMPOSITION OF TAXES FOR THE BENEFIT OF A SCHOOL DISTRICT SHALL NOT BE ALLOCATED PURSUANT TO THIS SUBSECTION (9).

SECTION 22. Article 54 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

22-54-126. Declining enrollment district aid - district charter schools. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "CHARTER SCHOOL ENROLLMENT" MEANS THE TOTAL NUMBER OF PUPILS ENROLLED IN THE DISTRICT CHARTER SCHOOLS OF A DISTRICT ON OCTOBER 1 WITHIN THE APPLICABLE BUDGET YEAR OR THE SCHOOL DATE NEAREST SAID DATE MINUS THE NUMBER OF PUPILS ENROLLED IN ON-LINE PROGRAMS AS OF THAT DATE WHO ARE ALSO ENROLLED IN DISTRICT CHARTER SCHOOLS OF THE DISTRICT.

(b) "DECLINING ENROLLMENT DISTRICT" MEANS A DISTRICT WHOSE FUNDED PUPIL COUNT IS GREATER THAN THE SUM OF THE DISTRICT'S PUPIL ENROLLMENT, PRESCHOOL AND KINDERGARTEN PROGRAM ENROLLMENT, AND ON-LINE PUPIL ENROLLMENT.

(2) FOR THE 2006-07 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE MONEYS FROM THE GENERAL FUND OR ANY OTHER SOURCE FOR DECLINING ENROLLMENT DISTRICT AID. THE DECLINING ENROLLMENT DISTRICT AID SHALL BE DISTRIBUTED TO ALL DECLINING ENROLLMENT DISTRICTS IN THE STATE. EACH DECLINING ENROLLMENT DISTRICT SHALL RECEIVE AID IN THE PROPORTION THAT THE DISTRICT'S CHARTER SCHOOL ENROLLMENT BEARS TO THE TOTAL CHARTER SCHOOL ENROLLMENT IN DECLINING ENROLLMENT DISTRICTS STATEWIDE."

Renumber succeeding sections accordingly.

Page 37, strike lines 2 through 12 and substitute the following:

"(2) (a) THE NUMBER OF CHILDREN THAT MAY PARTICIPATE IN THE STATE PRESCHOOL AND KINDERGARTEN PROGRAM SHALL BE:

(I) FOR THE 2006-07 BUDGET YEAR, FOURTEEN THOUSAND THREE HUNDRED SIXTY CHILDREN;

(II) FOR THE 2007-08 BUDGET YEAR, SIXTEEN THOUSAND THREE HUNDRED SIXTY CHILDREN; AND

(III) FOR THE 2008-09 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, EIGHTEEN THOUSAND THREE HUNDRED SIXTY CHILDREN."

Page 70, strike lines 24 through 26.

Page 71, strike lines 1 through 5 and substitute the following:

"(4) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 2006, the sum of one million dollars (\$1,000,000), or so much thereof as may be necessary, for the implementation of section 22-54-126, Colorado Revised Statutes."

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Page 72, after line 10, insert the following:

"(d) The general fund appropriation for assistance to public schools, public school finance, for the state share of districts' total program funding, is increased by two hundred twelve thousand eight hundred seven dollars (\$212,807).".

Reletter succeeding paragraphs accordingly.

MESSAGE FROM THE HOUSE

March 31, 2006
Madame President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1386.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1385, amended as printed in House Journal, March 30, page 950.

The House has voted to concur in the Senate amendments to HB06-1095, 1287,1318, 1148, 1196, 1255, 1016, 1244, 1071, 1076, 1102, 1108, 1119, 1162, 1260, 1268, 1285, and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB06-1121 and requests that a conference committee be appointed. The Speaker has appointed Representatives Todd, chairman, Paccione, and Massey as House conferees on the First Conference Committee on HB06-1121. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB06-1273 and requests that a conference committee be appointed. The Speaker has appointed Representatives Liston, chairman, McGihon, and T. Carroll as House conferees on the First Conference Committee on HB06-1273. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB06-1075 and requests that a conference committee be appointed. The Speaker has appointed Representatives Todd, chairman, Weissmann , and Penry as House conferees on the First Conference Committee on HB06-1075. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB06-1107 and requests that a conference committee be appointed. The Speaker has appointed Representatives Benefield, chairman, Solano, and May as House conferees on the First Conference Committee on HB06-1107. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB06-1169 and requests that a conference committee be appointed. The Speaker has appointed Representatives Decker, chairman, McGihon, and Judd as House conferees on the First Conference Committee on HB06-1169. The bill is transmitted herewith.

MESSAGE FROM THE REVISOR OF STATUTES

March 31, 2006

We herewith transmit:

Without comment, HB06-1386.
Without comment, as amended, HB06-1385.

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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:

HB06-1021 by Representative(s) Benefield; also Senator(s) Tupa--Concerning physical education teachers employed by school districts.

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

YES	28	NO	7	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	Y	Jones	Y	Shaffer	Y	Veiga	Y
Entz	Y	Keller	Y	Spence	N	Wiens	Y
Evans	N	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 was declared **passed**.

HB06-1256 by Representative(s) Buescher, Plant, Hall; also Senator(s) Keller, Tapia, Owen--Concerning modifications to certain provisions of total compensation for employees in the state personnel system.

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**.

HB06-1309 by Representative(s) McGihon, Madden, Plant, Romanoff; also Senator(s) Grossman, Fitzgerald, Groff--Concerning increased authority to protect air quality.

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

YES	18	NO	17	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	N	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 was declared **passed**.

Co-sponsors added: Bacon, Keller, Shaffer, Tochtrop, Tupa and Windels.

HB06-1356 by Representative(s) Judd; also Senator(s) Owen--Concerning the exemption of certain licensed professionals from the requirement to obtain a supervised lender license in order to take assignment of supervised loans in default, and, in connection therewith, specifically exempting Colorado-licensed collection agencies and attorneys from supervised lender licensing when taking assignment of supervised loans in default.

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**.

COMMITTEE OF REFERENCE REPORTS

Health & Human Services

After consideration on the merits, the Committee recommends that **HB06-1291** be postponed indefinitely.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB06-212** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike lines 10 through 17 and substitute the following:

"(b) A DENTAL HYGIENIST PROPRIETOR, OR A PROFESSIONAL CORPORATION OR PROFESSIONAL LIMITED LIABILITY CORPORATION OF DENTAL HYGIENISTS, IN ADDITION TO PROVIDING DENTAL HYGIENE SERVICES, MAY ENTER INTO AN AGREEMENT WITH ONE OR MORE DENTISTS FOR THE LEASE OR RENTAL OF EQUIPMENT OR OFFICE SPACE IN THE SAME PHYSICAL LOCATION AS THE DENTAL HYGIENE PRACTICE, BUT ONLY IF THE DETERMINATION OF NECESSARY DENTAL SERVICES PROVIDED BY THE DENTIST AND PROFESSIONAL RESPONSIBILITY FOR THOSE SERVICES, INCLUDING BUT NOT LIMITED TO DENTAL RECORDS, APPROPRIATE MEDICATION, AND PATIENT PAYMENT, REMAIN WITH THE TREATING DENTIST. IT SHALL BE THE RESPONSIBILITY OF THE DENTAL HYGIENIST TO INFORM THE PATIENT AS TO WHETHER THERE IS A SUPERVISORY RELATIONSHIP BETWEEN THE DENTIST AND THE DENTAL HYGIENIST. SUCH AN AGREEMENT SHALL NOT CONSTITUTE EMPLOYMENT AND SHALL NOT CONSTITUTE CAUSE FOR DISCIPLINE PURSUANT TO SECTION 12-35-129 (1) (h)."

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of April 3 was laid over until Tuesday, April 4, retaining its place on the calendar.

- General Orders -- Second Reading of Bills -- Consent Calendar: SB06-211.
- General Orders -- Second Reading of Bills: HB06-1090, SB06-143.
- Consideration of Resolutions: SJR06-019, SJR06-020, SJR06-022, SJR06-023.
- Consideration of Memorials: SJM06-001.
- Consideration of House Amendments to Senate Bills: SB06-014.
- Consideration of Governor's Appointments:
 - Members of the Read-To-Achieve Board.
- Consideration of Conference Committee Reports: HB06-1159.
- Conference Committee to Report: SB06-145.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, March 31, 2006, at 1:33 p.m.:

SB06-010, 055, 057, 070, 097, 102, 116, 118, 124, and 154.

SENATE SERVICES REPORT

Correctly Engrossed: SJR06-021.

Correctly Reengrossed: SB06-063, 064, and 179.

Correctly Revised: HB06-1021, 1256, 1309, and 1356; HJR06-1019.

Correctly Rerevised: HB06-1051, 1109, 1209, 1212, 1251, 1288, and 1357.

Correctly Enrolled: SR06-005.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB06-1010, 1056, 1077, 1087, 1088, 1122, 1174, 1190, 1237, 1240, 1295, 1335, HJR06-1017.

The President has signed: SJR06-012, 016, 017, 024; and SR06-006 and 007.

TRIBUTES

Honoring:

American Transplant Foundation -- by Senator Shawn Mitchell and Representative Borodkin.

Head Start and High-Quality Early Childhood Programs -- by Senator Williams and Representative Hefley.

Rangeview High School Jazz Band -- by Senator Williams.

On motion of Senator Gordon, the Senate adjourned until 9:00 a.m., Tuesday, April 4, 2006.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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