

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

72nd Legislative Day

Thursday, March 23, 2006

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Prayer	By the chaplain, Rev. Paul Kottke, University Park United Methodist Church.	11
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Pledge	By Senator Wiens.	13
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Call to Order	By the President at 9:00 a.m.	15
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Roll Call	Present--28.	18
	Absent--2; Hagedorn, Traylor.	19
	Excused--4; Evans, Grossman, Takis, Taylor.	20
	Vacancy--1.	21
	Present later--Grossman, Hagedorn, Takis, Taylor, Traylor.	22
		23
Quorum	The President announced a quorum present.	24
		25
Reading of Journal	On motion of Senator Lamborn, reading of the Journal of March 22, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.	26
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MESSAGE FROM THE HOUSE

March 22, 2006

Madame President:

The House has voted to concur in the Senate amendments to HB06-1369, 1373, and has repassed the bills as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

March 22, 2006

We herewith transmit:

Without comment, HB06-1377.

Without comment, as amended, HB06-1019, 1065, 1294, 1297, 1317, 1325, and 1337.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills -- Consent Calendar (HB06-1247, HB06-1273) of March 23 was laid over until Friday, March 24, retaining its place on the calendar.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills calendar (HB06-1075, HB06-1169, HB06-1102, HB06-1189, HB06-1267) of March 23 was laid over until Friday, March 24, retaining its place on the calendar.

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CONSIDERATION OF MEMORIALS
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SJM06-001 by Senator(s) Tochtrop; also Representative(s) Solano--Concerning border security.
 Laid over until later on the calendar of March 23.

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CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS
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SB06-062 by Senator(s) Taylor; also Representative(s) McKinley--Concerning electronic voting by certain electors who are absent from the state on election day.
 Laid over until Friday, March 24, retaining its place on the calendar.

SB06-118 by Senator(s) Williams; also Representative(s) Larson--Concerning amendments to the "Exceptional Children's Educational Act" to conform with the federal "Individuals with Disabilities Education Improvement Act of 2004".
 Senator Williams moved that the Senate concur in House amendments to **SB06-118**, as printed in House Journal, March 9, page 660. The motion was **passed** by the following roll call vote:

YES	32	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	E	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Vacant	*
Entz	Y	Keller	Y	Spence	Y	Veiga	Y
Evans	E	Kester	Y	Takis	Y	Wiens	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Williams	Y
Groff	Y	May R.	Y	Taylor	Y	Windels	Y
Grossman	Y	McElhany	Y	Teck	Y	President	Y
Hagedorn	Y	Mitchell	Y	Tochtrop	Y		

* Vacancy in Senate District 21.

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

YES	32	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	E	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Vacant	*
Entz	Y	Keller	Y	Spence	Y	Veiga	Y
Evans	E	Kester	Y	Takis	Y	Wiens	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Williams	Y
Groff	Y	May R.	Y	Taylor	Y	Windels	Y
Grossman	Y	McElhany	Y	Teck	Y	President	Y
Hagedorn	Y	Mitchell	Y	Tochtrop	Y		

* Vacancy in Senate District 21.

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

SB06-097 by Senator(s) Williams, Kester, Johnson, Evans, Shaffer; also Representative(s) Berens, Todd, Green, Decker, Sullivan--Concerning reports related to incidents at licensed long-term care facilities.

Senator Williams moved that the Senate concur in House amendments to **SB06-097**, as printed in House Journal, March 9, page 661. The motion was **passed** by the following roll call vote:

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YES	32	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	E	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Vacant	*
Entz	Y	Keller	Y	Spence	Y	Veiga	Y
Evans	E	Kester	Y	Takis	Y	Wiens	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Williams	Y
Groff	Y	May R.	Y	Taylor	Y	Windels	Y
Grossman	Y	McElhany	Y	Teck	Y	President	Y
Hagedorn	Y	Mitchell	Y	Tochtrop	Y		

* Vacancy in Senate District 21.

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

YES	32	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	E	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Vacant	*
Entz	Y	Keller	Y	Spence	Y	Veiga	Y
Evans	E	Kester	Y	Takis	Y	Wiens	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Williams	Y
Groff	Y	May R.	Y	Taylor	Y	Windels	Y
Grossman	Y	McElhany	Y	Teck	Y	President	Y
Hagedorn	Y	Mitchell	Y	Tochtrop	Y		

* Vacancy in Senate District 21.

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

SB06-121 by Senator(s) Sandoval; also Representative(s) Riesberg--Concerning surrogate decision-makers for health care benefits.

Laid over until Friday, March 24, retaining its place on the calendar.

SB06-134 by Senator(s) Sandoval; also Representative(s) Boyd--Concerning the elimination of resource limitations as a condition of eligibility for the Colorado works program.

Laid over until Friday, March 24, retaining its place on the calendar.

SB06-055 by Senator(s) Jones; also Representative(s) Garcia--Concerning reports of assaults in schools.

Senator Jones moved that the Senate concur in House amendments to **SB06-055**, as printed in House Journal, March 16, pages 782-783. The motion was **passed** by the following roll call vote:

YES	32	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	E	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Vacant	*
Entz	Y	Keller	Y	Spence	Y	Veiga	Y
Evans	E	Kester	Y	Takis	Y	Wiens	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Williams	Y
Groff	Y	May R.	Y	Taylor	Y	Windels	Y
Grossman	Y	McElhany	Y	Teck	Y	President	Y
Hagedorn	Y	Mitchell	Y	Tochtrop	Y		

* Vacancy in Senate District 21.

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

YES	32	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	E	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Vacant	*
Entz	Y	Keller	Y	Spence	Y	Veiga	Y
Evans	E	Kester	Y	Takis	Y	Wiens	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Williams	Y
Groff	Y	May R.	Y	Taylor	Y	Windels	Y
Grossman	Y	McElhany	Y	Teck	Y	President	Y
Hagedorn	Y	Mitchell	Y	Tochtrop	Y		

* Vacancy in Senate District 21.

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

SB06-014 by Senator(s) Taylor, Hanna; also Representative(s) White, Coleman, Schultheis, Vigil-- Concerning the regulation of entities subject to the real estate commission.

Laid over until Friday, March 24, retaining its place on the calendar.

SB06-145 by Senator(s) Shaffer, Hagedorn; also Representative(s) McCluskey, Butcher--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.

Laid over until Friday, March 24, retaining its place on the calendar.

SB06-102 by Senator(s) Williams, Hagedorn, Shaffer, Evans, Isgar, Kester; also Representative(s) Larson, Benefield, Berens, Madden, McCluskey, Merrifield, Todd, Massey, White-- Concerning limited criminal immunity for licensed medical caregivers who with consent provide palliative care to terminally ill patients.

Senator Williams moved that the Senate concur in House amendments to **SB06-102**, as printed in House Journal, March 16, page 786. The motion was **passed** by the following roll call vote:

YES	32	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	E	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Vacant	*
Entz	Y	Keller	Y	Spence	Y	Veiga	Y
Evans	E	Kester	Y	Takis	Y	Wiens	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Williams	Y
Groff	Y	May R.	Y	Taylor	Y	Windels	Y
Grossman	Y	McElhany	Y	Teck	Y	President	Y
Hagedorn	Y	Mitchell	Y	Tochtrop	Y		

* Vacancy in Senate District 21.

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

YES	32	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	E	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Vacant	*
Entz	Y	Keller	Y	Spence	Y	Veiga	Y
Evans	E	Kester	Y	Takis	Y	Wiens	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Williams	Y
Groff	Y	May R.	Y	Taylor	Y	Windels	Y
Grossman	Y	McElhany	Y	Teck	Y	President	Y
Hagedorn	Y	Mitchell	Y	Tochtrop	Y		

* Vacancy in Senate District 21.

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

Co-sponsors added: Gordon.

SB06-154 by Senator(s) May R.; also Representative(s) Pommer--Concerning the creation of a central statutory reference for statutes that authorize the use of the power of eminent domain.

Senator May moved that the Senate concur in House amendments to **SB06-154**, as printed in House Journal, March 20, page 824. The motion was **passed** by the following roll call vote:

YES	32	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	E	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Vacant	*
Entz	Y	Keller	Y	Spence	Y	Veiga	Y
Evans	E	Kester	Y	Takis	Y	Wiens	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Williams	Y
Groff	Y	May R.	Y	Taylor	Y	Windels	Y
Grossman	Y	McElhany	Y	Teck	Y	President	Y
Hagedorn	Y	Mitchell	Y	Tochtrop	Y		

* Vacancy in Senate District 21.

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

YES	32	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	E	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Vacant	*
Entz	Y	Keller	Y	Spence	Y	Veiga	Y
Evans	E	Kester	Y	Takis	Y	Wiens	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Williams	Y
Groff	Y	May R.	Y	Taylor	Y	Windels	Y
Grossman	Y	McElhany	Y	Teck	Y	President	Y
Hagedorn	Y	Mitchell	Y	Tochtrop	Y		

* Vacancy in Senate District 21.

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

SB06-057 by Senator(s) Groff; also Representative(s) Riesberg--Concerning creation of the missing senior citizen alert program.

Senator Groff moved that the Senate concur in House amendments to **SB06-057**, as printed in House Journal, March 9, page 652. The motion was **passed** by the following roll call vote:

YES	32	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	E	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Vacant	*
Entz	Y	Keller	Y	Spence	Y	Veiga	Y
Evans	E	Kester	Y	Takis	Y	Wiens	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Williams	Y
Groff	Y	May R.	Y	Taylor	Y	Windels	Y
Grossman	Y	McElhany	Y	Teck	Y	President	Y
Hagedorn	Y	Mitchell	Y	Tochtrop	Y		

* Vacancy in Senate District 21.

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

YES	32	NO	0	EXCUSED	2	ABSENT	0
Bacon	Y	Isgar	Y	Owen	Y	Traylor	Y
Brophy	Y	Johnson	Y	Sandoval	E	Tupa	Y
Dyer	Y	Jones	Y	Shaffer	Y	Vacant	*
Entz	Y	Keller	Y	Spence	Y	Veiga	Y
Evans	E	Kester	Y	Takis	Y	Wiens	Y
Gordon	Y	Lamborn	Y	Tapia	Y	Williams	Y
Groff	Y	May R.	Y	Taylor	Y	Windels	Y
Grossman	Y	McElhany	Y	Teck	Y	President	Y
Hagedorn	Y	Mitchell	Y	Tochtrop	Y		

* Vacancy in Senate District 21.

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

Co-sponsors added: Entz, Lamborn, Owen and Spence.

COMMITTEE OF REFERENCE REPORTS

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB06-1309** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 5, strike lines 3 through 5 and substitute the following:

"SOURCE LISTED IN SECTION 25-7-109 (8) THAT IS";

after line 20, insert the following:

"(c) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION OR ANY OTHER PROVISION OF THIS ARTICLE, THE COMMISSION SHALL NOT ADOPT OR ENFORCE ANY RULE OR STANDARD THAT IS MORE STRINGENT THAN OR IS OTHERWISE NOT REQUIRED BY THE FEDERAL ACT OR IMPLEMENTING REGULATIONS TO PREVENT OR REDUCE AIR POLLUTION FROM AN HISTORIC STEAM LOCOMOTIVE, AS DEFINED IN THE REGULATIONS IMPLEMENTING THE FEDERAL ACT."

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB06-1091** be postponed indefinitely.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB06-1073** be postponed indefinitely.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB06-1157** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 5, after line 11, insert the following:

"(4) DEPARTMENT OF HIGHER EDUCATION" MEANS THE COLORADO COMMISSION ON HIGHER EDUCATION, COLLEGEINVEST, THE COLORADO STUDENT LOAN PROGRAM, THE COLORADO COLLEGE ACCESS NETWORK, THE PRIVATE OCCUPATIONAL SCHOOL DIVISION, THE STATE HISTORICAL SOCIETY, AND THE STATE COUNCIL ON THE ARTS.";

Renumber succeeding subsections accordingly.

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Page 5, after line 25, insert the following:

"(7) "INSTITUTION OF HIGHER EDUCATION" MEANS A STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION."

Renumber succeeding subsections accordingly.

Page 6, line 4, strike "DIVISION," and substitute "DIVISIONS,";

strike lines 5 and 6 and substitute the following:

"INSTITUTIONS. "PUBLIC AGENCY" DOES NOT INCLUDE INSTITUTIONS OF HIGHER EDUCATION OR THE DEPARTMENT OF HIGHER EDUCATION."

Page 7, line 13, strike "AND";

line 17, strike "SYSTEMS." and substitute "SYSTEMS; AND";

after line 17, insert the following:

"(I) COORDINATE WITH THE COLORADO COMMISSION ON HIGHER EDUCATION FOR PURPOSES OF REVIEWING AND COMMENTING ON INFORMATION SECURITY PLANS ADOPTED BY INSTITUTIONS OF HIGHER EDUCATION THAT ARE SUBMITTED PURSUANT TO SECTION 24-37.5-404.5 (3)."

Page 10, after line 1, insert the following:

"24-37.5-404.5. Institutions of higher education - information security plans. (1) ON OR BEFORE JULY 1, 2007, EACH INSTITUTION OF HIGHER EDUCATION, IN COORDINATION WITH THE COLORADO COMMISSION ON HIGHER EDUCATION, SHALL DEVELOP AN INFORMATION SECURITY PLAN. THE INFORMATION SECURITY PLAN SHALL PROVIDE INFORMATION SECURITY FOR THE COMMUNICATION AND INFORMATION RESOURCES THAT SUPPORT THE OPERATIONS AND ASSETS OF THE INSTITUTION OF HIGHER EDUCATION.

(2) THE INFORMATION SECURITY PLAN SHALL INCLUDE:

(a) PERIODIC ASSESSMENTS OF THE RISK AND MAGNITUDE OF THE HARM THAT COULD RESULT FROM A SECURITY INCIDENT;

(b) A PROCESS FOR PROVIDING ADEQUATE INFORMATION SECURITY FOR THE COMMUNICATION AND INFORMATION RESOURCES OF THE INSTITUTION OF HIGHER EDUCATION;

(c) INFORMATION SECURITY AWARENESS TRAINING FOR EMPLOYEES OF THE INSTITUTION OF HIGHER EDUCATION;

(d) PERIODIC TESTING AND EVALUATION OF THE EFFECTIVENESS OF INFORMATION SECURITY FOR THE INSTITUTION OF HIGHER EDUCATION, WHICH SHALL BE PERFORMED NOT LESS THAN ANNUALLY;

(e) A PROCESS FOR DETECTING, REPORTING, AND RESPONDING TO SECURITY INCIDENTS CONSISTENT WITH THE INFORMATION SECURITY POLICY OF THE INSTITUTION OF HIGHER EDUCATION. THE INSTITUTIONS OF HIGHER EDUCATION, THE COLORADO COMMISSION ON HIGHER EDUCATION, AND THE CHIEF INFORMATION SECURITY OFFICER SHALL ESTABLISH THE TERMS AND CONDITIONS BY WHICH THE INSTITUTIONS OF HIGHER EDUCATION AND THE DEPARTMENT OF HIGHER EDUCATION SHALL REPORT INFORMATION SECURITY INCIDENTS TO THE CHIEF INFORMATION SECURITY OFFICER.

(f) PLANS AND PROCEDURES TO ENSURE THE CONTINUITY OF OPERATIONS FOR INFORMATION RESOURCES THAT SUPPORT THE OPERATIONS AND ASSETS OF THE INSTITUTION OF HIGHER EDUCATION IN THE EVENT OF A SECURITY INCIDENT.

(3) ON OR BEFORE JULY 15, 2007, EACH INSTITUTION OF HIGHER

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EDUCATION SHALL SUBMIT THE INFORMATION SECURITY PLAN DEVELOPED PURSUANT TO THIS SECTION TO THE COLORADO COMMISSION ON HIGHER EDUCATION FOR REVIEW AND COMMENT. THE COMMISSION SHALL SUBMIT SUCH PLANS TO THE CHIEF INFORMATION SECURITY OFFICER.

(4) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE ANY INSTITUTION OF HIGHER EDUCATION OR THE DEPARTMENT OF HIGHER EDUCATION TO ADOPT POLICIES OR STANDARDS THAT CONFLICT WITH FEDERAL LAW, RULES, OR REGULATIONS OR WITH CONTRACTUAL ARRANGEMENTS GOVERNED BY FEDERAL LAWS, RULES, OR REGULATIONS.

(5) AN INFORMATION SECURITY PLAN MAY PROVIDE FOR A PHASE-IN PERIOD NOT TO EXCEED THREE YEARS. AN IMPLEMENTATION SCHEDULE FOR THE PHASE-IN PERIOD SHALL BE INCLUDED IN SUCH A PLAN. ANY PHASE-IN PERIOD PURSUANT TO THIS SUBSECTION (5) SHALL BE COMPLETED BY JULY 1, 2009.

(6) ON OR BEFORE JULY 1, 2008, AND ON OR BEFORE JULY 1 OF EACH SUBSEQUENT YEAR, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HIGHER EDUCATION SHALL REPORT TO THE CHIEF INFORMATION SECURITY OFFICER ON THE DEVELOPMENT, IMPLEMENTATION, AND, IF APPLICABLE, COMPLIANCE WITH THE PHASE-IN SCHEDULE OF THE INFORMATION SECURITY PLAN FOR EACH INSTITUTION OF HIGHER EDUCATION.

(7) THE COLORADO COMMISSION ON HIGHER EDUCATION SHALL REQUIRE THE INSTITUTIONS OF HIGHER EDUCATION TO PROVIDE REGULARIZED SECURITY AWARENESS TRAINING TO INFORM THE EMPLOYEES, ADMINISTRATORS, AND USERS IN THOSE INSTITUTIONS ABOUT THE INFORMATION SECURITY RISKS AND THE RESPONSIBILITY OF EMPLOYEES, ADMINISTRATORS, AND USERS TO COMPLY WITH THE INSTITUTION'S INFORMATION SECURITY PLAN AND THE POLICIES, STANDARDS, AND PROCEDURES DESIGNED TO REDUCE THOSE RISKS."

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB06-1115** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB06-1264** be referred to the Committee of the Whole with favorable recommendation.

Education

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

**MEMBERS OF THE
READ-TO-ACHIEVE BOARD**

for terms expiring July 1, 2008:

Joanne E. Scanlan of Colorado Springs, Colorado, to serve as a third grade teacher whom works in a rural school district and as a Republican, appointed;

Pamela Sue Thompson of Alamosa, Colorado, to serve as a principal of a rural elementary school and as a Republican, appointed;

Education

After consideration on the merits, the Committee recommends that **SB06-209** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 12, strike "SYSTEM OR THE PRESIDENT'S" and substitute "SYSTEM.";

strike line 13;

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line 19, strike the second "A" and substitute "THE";

line 20, after "ORGANIZATION", insert "SELECTED BY THE TASK FORCE";

line 21, after "STUDENT", insert "BY SPECIFIC ACADEMIC DISCIPLINES, AS WELL AS VARYING COSTS OF EDUCATING A STUDENT BY ACADEMIC LEVEL,".

Page 3, strike line 3 and substitute the following:

"FORCE AND THE COMMISSION.";

strike lines 5 through 8 and substitute the following:

"(a) ANALYZE THE CURRENT LEVELS OF FUNDING FOR FEE-FOR-SERVICE CONTRACTS AND UNDERGRADUATE STIPENDS AND THE FINANCING STRUCTURE FOR GRADUATE LEVEL COURSES IN RELATION TO THE COSTS THAT ARE NECESSARY AND APPROPRIATE TO ACHIEVE THE ROLE AND MISSION OF EACH STATE INSTITUTION OF HIGHER EDUCATION.";

strike line 17 and substitute the following:

"(III) ANY CHANGES IN THE EXISTING LEVELS OF FUNDING FOR FEE-FOR-SERVICE CONTRACTS AND UNDERGRADUATE STIPENDS AND THE FINANCING STRUCTURE FOR GRADUATE LEVEL COURSES";

line 18, strike "HIGHER EDUCATION".

Education

After consideration on the merits, the Committee recommends that **HB06-1285** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, line 14, strike "SHALL" and substitute "MAY".

Page 4, after line 11, insert the following:

"(6) THE FEE-FOR-SERVICE CONTRACT NEGOTIATED BETWEEN THE BOARD AND THE DEPARTMENT OF HIGHER EDUCATION PURSUANT TO SECTION 23-5-130 SHALL SPECIFY THE AMOUNT OF FUNDING FOR EDUCATIONAL SERVICES PROVIDED TO GRADUATE STUDENTS BY THE STATE OF COLORADO. A GRADUATE STUDENT RECEIVING EDUCATIONAL SERVICES PAID FOR BY THE STATE OF COLORADO IS NOT ELIGIBLE TO BE AN ACCOUNTABLE STUDENT.".

Education

After consideration on the merits, the Committee recommends that **HB06-1260** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 8, strike lines 9 through 25.

Renumber succeeding sections accordingly.

CORRECTED COMMITTEE REPORT

Trans-
portation

After consideration on the merits, the Committee recommends that **HB06-1107** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, line 14, strike "COLORADO";

line 18, strike "COLORADO";

line 26, strike "COLORADO".

Page 4, line 3, strike "COLORADO";

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line 10, strike "COLORADO";

line 13, strike "COLORADO";

strike lines 24 and 25 and substitute the following:

"HOLDS A VALID DRIVER'S LICENSE AND HAS PROPER".

Page 6, line 1, strike "COLORADO";

line 3, after "CYCLE,", insert "IS AUTHORIZED UNDER THIS ARTICLE TO DRIVE A MOTORCYCLE OR MOTOR-DRIVEN CYCLE AND IS";

line 10, strike "COLORADO";

line 12, strike "FROM COLORADO";

line 18, strike "COLORADO";

line 22, strike "COLORADO".

Page 7, strike lines 5 and 6 and substitute the following:

"PARAGRAPH (b), HOLDS A VALID DRIVER'S LICENSE AND HAS";

line 26, strike "COLORADO".

Page 8, line 17, strike "COLORADO";

line 19, after "CYCLE,", insert "IS AUTHORIZED UNDER THIS ARTICLE TO DRIVE A MOTORCYCLE OR MOTOR-DRIVEN CYCLE AND IS";

line 25, strike "COLORADO".

Page 9, line 2, strike "COLORADO";

strike lines 12 and 13 and substitute the following:

"PARAGRAPH (d), HOLDS A VALID DRIVER'S LICENSE AND HAS".

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MESSAGE FROM THE HOUSE

March 23, 2006
Madame President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1375, amended as printed in House Journal, March 22, pages 856-857, and on March 23.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB06-187, amended as printed in House Journal, March 22, page 856.

SENATE SERVICES REPORT

Correctly Printed: SJR06-018; SR06-008.
Correctly Engrossed: SJM06-002; SJR06-018.
Correctly Revised: HJR06-1013, and 1017.
Correctly Enrolled: SB06-006, 039, 108, and 180.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB06-1007, 1074, 1080, 1084, 1093, 1098, 1112, 1118, 1156, 1191, 1195, 1198, 1207, 1210, 1239, 1254, 1321, 1340.

The President has signed: HB06-1215, 1368, 1369, 1370, 1371, 1372, 1373, 1374.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, March 22, 2006, at 4:02 p.m.:

SB06-003, 012, 016, 034, 084, 132, and 142.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of March 23 was laid over until Friday, March 24, retaining its place on the calendar.

Consideration of Memorials: SJM06-001.
 Reconsideration of Bills: HB06-1051.
 Conference Committee to Report: HB06-1159.

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the Committee recommends that **HB06-1357** be referred to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **HB06-1192** be postponed indefinitely.

Judiciary After consideration on the merits, the Committee recommends that **HB06-1353** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **HB06-1274** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 16, after line 1, insert the following:

"SECTION 18. 35-10-128, Colorado Revised Statutes, is amended to read:

35-10-128. Repeal of article - termination of functions.
 Effective July 1, 2006 2015, this article ~~shall be~~ IS repealed. The licensing function of the commissioner of agriculture shall also terminate on July 1, 2006 2015. Prior to such repeal and termination, the licensing function shall be reviewed as provided for in section 24-34-104, C.R.S., and, as part of such review, the department of regulatory agencies shall report on the extent of local regulation of pesticides pursuant to section 31-15-707 (1) (b), C.R.S., or under the police power of any political subdivision of the state."

Renumber succeeding sections accordingly.

Page 16, line 2, after "Statutes," insert "as amended by section 18 of House Bill 06-1274, enacted at the second regular session of the sixty-fifth general assembly,";

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line 5, strike "2006 2015, this article shall be IS repealed." and substitute "2015, this article is repealed.";

line 7, strike "2006".

Page 17, strike lines 4 through 13 and substitute the following:

"SECTION 22. 24-34-104 (46), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment.

(46) The following agencies, functions, or both, shall terminate on July 1, 2015:

(g) THE LICENSING OF COMMERCIAL APPLICATORS, QUALIFIED SUPERVISORS, AND CERTIFIED OPERATORS THROUGH THE COMMISSIONER OF AGRICULTURE IN ACCORDANCE WITH ARTICLE 10 OF TITLE 35, C.R.S.

SECTION 23. 24-34-104 (46) (g), Colorado Revised Statutes, as enacted by section 22 of House Bill 06-1274, enacted at the second regular session of the sixty-fifth general assembly, is amended to read:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment.

(46) The following agencies, functions, or both, shall terminate on July 1, 2015:

(g) The licensing REGULATION of commercial applicators, qualified supervisors, and certified operators through OPERATORS, AND PRIVATE APPLICATORS BY the commissioner of agriculture in accordance with article 10 of title 35, C.R.S."

Renumber succeeding sections accordingly.

Page 18, line 19, strike "22," and substitute "21 and 22, and 24 through 26";

line 20, strike "and 23".

On motion of Senator Gordon, the Senate adjourned until 9:00 a.m., Friday, March 24, 2006.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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