

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

98th Legislative Day

Tuesday, April 18, 2006

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Prayer	By the chaplain, Father Dennis Woerter, St. Dominic Catholic Parish, Denver.	11
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Pledge	By Senator Traylor.	13
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Call to Order	By the President at 9:00 a.m.	15
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Roll Call	Present--29.	18
	Excused--6; Isgar, Spence, Takis, Taylor, Tupa, Wiens.	19
	Present later--Isgar, Spence, Takis, Taylor, Tupa, Wiens.	20
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Quorum	The President announced a quorum present.	22
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Reading of Journal	On motion of Senator Boyd, reading of the Journal of April 17, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.	24
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MESSAGE FROM THE HOUSE

April 17, 2006

Madame President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1381.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB06-1153, amended as printed in House Journal, April 14, page 1214.
 HB06-1270, amended as printed in House Journal, April 14, pages 1214-1215.
 HB06-1343, amended as printed in House Journal, April 14, pages 1215-1216.
 HB06-1266, amended as printed in House Journal, April 14, pages 1216-1217.
 HB06-1312, amended as printed in House Journal, April 14, page 1217.
 HB06-1365, amended as printed in House Journal, April 14, pages 1217-1218.
 HB06-1364, amended as printed in House Journal, April 14, page 1218.
 HB06-1311, amended as printed in House Journal, April 14, pages 1218-1220.
 HB06-1362, amended as printed in House Journal, April 14, pages 1220-1221.

MESSAGE FROM THE REVISOR OF STATUTES

April 17, 2006

We herewith transmit:

Without comment, HB06-1381.

Without comment, as amended, HB06-1153, 1266, 1270, 1311, 1312, 1343, 1362, 1364, and 1365.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR06-028 by Senator(s) Spence; also Representative(s) Clapp--Concerning the 50th anniversary of the 1956 Hungarian Revolution for freedom and democracy.

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

INTRODUCTION OF BILLS -- FIRST READING

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

SB06-228 by Senator(s) Boyd, Mitchell, Fitz-Gerald, Groff; also Representative(s) May M., Carroll T.--Concerning reasonable costs related to a coordinated election.
State, Veterans & Military Affairs

SB06-229 by Senator(s) Fitz-Gerald, Isgar, Taylor; also Representative(s) Plant--Concerning the use of moneys from the operational account of the severance tax trust fund to pay for the state's share of a facility related to a national deep underground science and engineering laboratory to be located in the state.
State, Veterans & Military Affairs

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB06-046 by Senator(s) Tupa, Bacon, Windels, Williams; also Representative(s) Merrifield, Benefield, Pommer--Concerning the study of an education system ranging from pre-kindergarten through higher education, and, in connection therewith, creating a legislative oversight committee and special council.

Laid over until Wednesday, April 19, retaining its place on the calendar.

SB06-217 by Senator(s) Groff, Wiens; also Representative(s) Carroll T., Cerbo, Harvey--Concerning the authority of the state board of medical examiners to license certain distinguished teaching physicians.

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

SB06-128 by Senator(s) Owen, Evans, Gordon, Johnson, Keller, Mitchell; also Representative(s) Riesberg, Cloer, Frangas, Knoedler, Larson, Marshall--Concerning a program for services for people with disabilities under the state medical assistance program.

Amendment No. 1, Health and Human Services Committee Amendment.
(Printed in Senate Journal, February 16, pages 225-226 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 14, pages 905-906 and placed in members' bill files.)

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

HB06-1355 by Representative(s) McKinley, Rose; also Senator(s) Isgar--Concerning the consolidation of procedures regulating the auction of certain big game hunting licenses, and, in connection therewith, consolidating the procedures regulating the raffle of hunting licenses for sheep, goats, moose, deer, elk, and pronghorn.

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

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- SB06-004** by Senator(s) Mitchell, Gordon, Keller, Tochtrop; also Representative(s) Butcher, Frangas, McCluskey, Todd--Concerning a report by the department of corrections regarding the provision of medical services to state inmates through the use of telemedicine. 1
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Ordered engrossed and placed on the calendar for Third Reading and Final Passage. 5
(For further action, see Amendments to the Report of the Committee of the Whole.) 6
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- SCR06-001** by Senator(s) Evans; also Representative(s) Gallegos--Submitting to the registered electors of the state of Colorado an amendment to section 3.5 of article X of the constitution of the state of Colorado, concerning the extension of the existing property tax exemption for qualifying seniors to any United States military veteran who is one hundred percent permanently disabled due to a service-connected disability, and, in connection therewith, excluding payments made to compensate local governmental entities for property tax revenues lost as a result of the extension of the exemption from state fiscal year spending. 8
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Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. 16
(Printed in Senate Journal, March 9, page 450 and placed in members' bill files.) 17
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As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage. 19
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- SB06-072** by Senator(s) Tochtrop; --Concerning increasing penalties for careless driving. 22
23
Amendment No. 1, Judiciary Committee Amendment. 24
(Printed in Senate Journal, February 13, pages 163-165 and placed in members' bill files.) 25
26
Amendment No. 2, Appropriations Committee Amendment. 27
(Printed in Senate Journal, April 14, page 874 and placed in members' bill files.) 28
29
Amendment No. 3(L.005), by Senator Tochtrop. 30
31
Amend the Judiciary Committee Report, dated February 8, 2006, page 1, 32
after line 2, insert the following: 33
34
"strike line 20 and substitute the following: 35
36
"the provisions of ~~section~~ SECTIONS 42-2-127 AND 42-2-127.8.""; 37
38
line 6 of the committee report, strike the first "of"; 39
40
line 15 of the committee report, strike "REVOCATION" and substitute 41
"SUSPENSION". 42
43
Page 3 of the committee report, line 15, strike "REFUSAL." and 44
substitute "REFUSAL."; 45
46
after line 15 of the committee report, insert the following: 47
48
"SECTION 4. 42-4-1701 (4) (a) (I) (N), Colorado Revised 49
Statutes, is amended to read: 50
51
**42-4-1701. Traffic offenses and infractions classified - 52
penalties - penalty and surcharge schedule - repeal.** (4) (a) (I) Except 53
as provided in paragraph (c) of subsection (5) of this section, every 54
person who is convicted of, who admits liability for, or against whom a 55
judgment is entered for a violation of any provision of this title to which 56
the provisions of paragraph (a) or (b) of subsection (5) of this section 57
apply shall be fined or penalized, and have a surcharge levied thereon 58
pursuant to section 24-4.2-104 (1) (b) (I), C.R.S., in accordance with the 59
penalty and surcharge schedule set forth in sub-subparagraphs (A) to (P) 60
of this subparagraph (I); or, if no penalty or surcharge is specified in the 61
schedule, the penalty for class A and class B traffic infractions shall be 62
fifteen dollars, and the surcharge shall be two dollars. These penalties 63
and surcharges shall apply whether the defendant acknowledges the 64
defendant's guilt or liability in accordance with the procedure set forth by 65
paragraph (a) of subsection (5) of this section or is found guilty by a 66
court of competent jurisdiction or has judgment entered against the 67
defendant by a county court magistrate. Penalties and surcharges for 68
violating specific sections shall be as follows: 69
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Section Violated	Penalty	Surcharge
(N) Other offenses:		
42-4-1301 (2) (a.5)	\$ 50.00	\$ 7.80
42-4-1305	50.00	7.80
42-4-1402 <u>(1)</u>	50.00	7.80
42-4-1403	15.00	2.60
42-4-1404	15.00	2.60
42-4-1406	35.00	5.20
42-4-1407 (3) (a)	35.00	5.20
42-4-1407 (3) (b)	100.00	15.00
42-4-1407 (3) (c)	500.00	100.00
42-4-314	35.00	5.20
42-4-1408	15.00	2.60
42-4-1414 (2) (a)	500.00	78.00
42-4-1414 (2) (b)	1,000.00	156.00
42-4-1414 (2) (c)	5,000.00	780.00".

Renumber succeeding sections accordingly.";

line 30 of the committee report, strike "FUND.;" and substitute "FUND.".

Page 4 of the committee report, strike line 1;

line 2 of the committee report, strike ""SECTION 5." and substitute "SECTION 6.";

strike lines 4 through 8 of the committee report and substitute the following:

"43-4-205. Allocation of fund. (5.5) The following highway users tax fund revenues shall be allocated and expended in accordance with the formula specified in subsection (5) of this section:";

strike lines 13 and 14 of the committee report and substitute the following:

"C.R.S.;"

strike lines 11 through 13 and substitute the following:

"SECTION 7. Effective date. (1) This act shall take effect July 1, 2006.

(2) However, if a referendum petition is filed against this act or an item, section, or part of this act during the 90-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, then the act, item, section, or part, shall not take effect unless approved by the people at a biennial regular general election and shall take effect on the date specified in subsection (1) or on the date of the official declaration of the vote thereon by proclamation of the governor, whichever is later.".

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

SB06-165 by Senator(s) Hagedorn; also Representative(s) Gardner--Concerning the use of telemedicine to promote efficiency in the delivery of health care services, and, in connection therewith, establishing pilot programs to demonstrate such efficiency.

Amendment No. 1, Health and Human Services Committee Amendment.
(Printed in Senate Journal, February 13, page 193 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 14, pages 872-873 and placed in members' bill files.)

Amendment No. 3(L.003), by Senator Hagedorn.

Amend printed bill, page 5, line 13, strike "ESTABLISH" and substitute

- "EMPLOY ITS EXISTING"; 1
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 line 15, strike "ARTICLE AND" and substitute "ARTICLE."; 3
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 strike line 16. 5
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 Page 6, line 21, after the semicolon, add "OR"; 7
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 line 23, strike "LAW; OR" and substitute "LAW."; 9
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 strike lines 24 through 26. 11
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 Page 8, strike lines 19 through 27. 13
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 Page 9, strike lines 1 through 9 and substitute the following: 15
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 "(5) SUBSECTION (4) OF THIS SECTION SHALL NOT APPLY IN AN 17
 EMERGENCY." 18
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 As amended, ordered engrossed and placed on the calendar for Third Reading and Final 21
 Passage. 22
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SB06-218 by Senator(s) Keller; also Representative(s) Coleman, Larson--Concerning financial support 24
 for programs benefitting disabled telephone users. 25
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Amendment No. 1, Finance Committee Amendment. 27
 (Printed in Senate Journal, March 31, page 695 and placed in members' bill files.) 28
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Amendment No. 2, Appropriations Committee Amendment. 30
 (Printed in Senate Journal, April 14, page 874 and placed in members' bill files.) 31
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Amendment No. 3(L.002), by Senator Keller. 33
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 Amend the Appropriations Committee Report, dated April 14, 2006, page 35
 1, line 4, strike "4-17-104 (1)," and substitute "40-17-104 (1)," 36
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 As amended, ordered engrossed and placed on the calendar for Third Reading and Final 39
 Passage. 40
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SB06-130 by Senator(s) Bacon; also Representative(s) White--Concerning the restoration of funding 42
 for boards of cooperative services. 43
 44
Amendment No. 1, Appropriations Committee Amendment. 45
 (Printed in Senate Journal, April 14, page 901 and placed in members' bill files.) 46
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 As amended, ordered engrossed and placed on the calendar for Third Reading and Final 48
 Passage. 49
 50
SB06-131 by Senator(s) Tochtrop, Isgar; also Representative(s) McFadyen--Concerning 51
 reimbursement under the medical assistance program for nursing facility providers. 52
 53
Amendment No. 1, Health and Human Services Committee Amendment. 54
 (Printed in Senate Journal, February 9, page 160-161, was declared LOST.) 55
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Amendment No. 2, Appropriations Committee Amendment. 57
 (Printed in Senate Journal, April 14, page 901 and placed in members' bill files.) 58
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Amendment No. 3(L.006), by Senator Teck. 60
 61
 Amend printed bill, page 3, line 12, strike "FACILITIES," and substitute 62
 "FACILITIES."; 63
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 strike line 13 and substitute the following: 65
 66
 "THE STUDY SHALL INCLUDE, BUT NOT BE LIMITED TO, A STUDY OF A 67
 REIMBURSEMENT SYSTEM BASED UPON A PRICING"; 68
 69
 line 14, after "MODEL", insert "THAT"; 70
 71
 line 21, strike "PRICING MODEL" and substitute "NEW"; 72

strike lines 25 through 27 and substitute the following:

"(2) IF THE STATE DEPARTMENT RECOMMENDS A PRICING MODEL REIMBURSEMENT SYSTEM PURSUANT TO SUBSECTION (1) OF THIS SECTION THE SYSTEM SHALL, AT A MINIMUM,".

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

SB06-048 by Senator(s) Tapia, Bacon, Evans; also Representative(s) Massey, Borodkin--Concerning the pilot program for the director of research of the legislative council to use a dynamic model to analyze the economic impact of bills that make a tax policy change.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, February 8, page 151 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 14, page 875 and placed in members' bill files.)

Amendment No. 3(L.002), by Senator Tapia.

Amend printed bill, page 1, line 104, strike "CHANGE." and substitute "CHANGE, AND MAKING AN APPROPRIATION THEREFOR."

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

SB06-136 by Senator(s) Tapia, Tochtrop; also Representative(s) Butcher, Cerbo--Concerning authorization of a nursing teacher loan forgiveness pilot program.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 17, pages 254-255 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 14, page 875 and placed in members' bill files.)

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

SB06-081 by Senator(s) Veiga; also Representative(s) Madden--Concerning the expansion of employment nondiscrimination protections.

Laid over until Wednesday, April 19, retaining its place on the calendar.

SB06-061 by Senator(s) Keller; also Representative(s) Larson--Concerning providing interpretation in legal situations for persons with hearing loss, and making an appropriation in connection therewith.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 16, pages 224-225 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 14, pages 902-903 and placed in members' bill files.)

Amendment No. 3(L.010), by Senator Keller.

Amend the Appropriations Committee report, dated April 14, 2006, page 1, line 17, strike "4-17-104 (1)," and substitute "40-17-104 (1),".

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

SB06-148 by Senator(s) Tapia; also Representative(s) McFadyen--Concerning the creation of community policing programs by local law enforcement agencies.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, February 24, page 331 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 14, page 903 and placed in members' bill files.)

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Amendment No. 3(L.003), by Senator Gordon.

Amend printed bill, page 2, after line 1, insert the following:

"SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) Local law enforcement professionals have an opportunity to create an atmosphere of trust between themselves and the families, individuals, children, and youth who reside in the communities and neighborhoods that they serve and protect by implementing nontraditional strategies that proactively target the prevention of crime and the fear of crime through community policing.

(b) Policing is most effective when local law enforcement professionals know and are familiar with the residents in the neighborhoods they serve and are able to provide services to those residents in a personalized manner.

(c) The strategies and tools for community policing may include, but are not limited to, patrolling neighborhoods on foot and by bicycle, training and education, participating in and facilitating community educational and recreational activities, and increasing the opportunities for law enforcement professionals to interact and communicate with and receive input from the public at the neighborhood level.

(d) The implementation of community policing efforts through these partnerships with the public can be utilized to support and bolster traditional law enforcement efforts and strategies.

(e) Assisting local law enforcement agencies with the creation of community policing programs would be beneficial and in the best interests of the residents in the neighborhoods directly affected by those programs and to all the citizens of the state."

Renumber succeeding sections accordingly.

Page 3, strike lines 2 through 27.

Page 4, strike lines 1 through 3.

Renumber succeeding C.R.S. sections accordingly.

Page 5, line 5, strike "24-33.5-606," and substitute "24-33.5-605,".

Amend the Appropriations Committee Report, dated April 14, 2006, page 1, line 11, strike "24-33.5-606," and substitute "24-33.5-605,".

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

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, SB06-138, as amended, was advanced on the calendar.

SB06-138 by Senator(s) Shaffer, Entz, Fitz-Gerald, Kester; also Representative(s) Gardner, Gallegos, Hodge, Rose--Concerning the requirement that gasoline contain at least a specified percentage of ethanol by volume.

(Amended in General Orders as printed in Senate Journal, April 17, pages 912-913.)

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was referred to the Committee on Appropriations.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB06-004 by Senator(s) Mitchell, Gordon, Keller, Tochtrop; also Representative(s) Butcher, Frangas, McCluskey, Todd--Concerning a report by the department of corrections regarding the provision of medical services to state inmates through the use of telemedicine.

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Senator Mitchell moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 06-004 did pass.

Amend printed bill, page 2, after line 15, insert the following:

"(a) A PROPOSED LISTING OF MEDICAL SPECIALTIES TO BE PROVIDED THROUGH TELEMEDICINE TO STATE INMATES IN CORRECTIONAL FACILITIES, INCLUDING BUT NOT LIMITED TO ORTHOPAEDICS, DERMATOLOGY, ENDOCRINOLOGY, GENERAL SURGERY, AND RHEUMATOLOGY, AND AN IDENTIFICATION OF WHICH MEDICAL SPECIALTIES ARE DRIVEN BY CLINICAL PROTOCOLS;"

Reletter succeeding paragraphs accordingly.

Page 3, line 5, strike "(e)" and substitute "(3)".

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

YES	33	NO	0	EXCUSED	2	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	E
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	E	President	Y
Grossman	Y	McElhany	Y	Teck	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Passed on Second Reading: SB06-217, SB06-128 as amended, HB06-1355, SB06-044 as amended, SCR06-001 as amended, SB06-072 as amended, SB06-165 as amended, SB06-218 as amended, SB06-130 as amended, SB06-131 as amended, SB06-048 as amended, SB06-136 as amended, SB06-061 as amended, SB06-148 as amended.

Referred to Appropriations: SB06-138 as amended.

Laid over until Wednesday, April 19: SB06-046, SB06-081, HB06-1346, SB06-213, SB06-001, SB06-069.

COMMITTEE OF REFERENCE REPORTS

Business,
Labor, &
Technology

The Committee on Business, Labor and Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**MEMBERS OF THE
FINANCIAL SERVICES BOARD**

for terms expiring July 1, 2009:

Douglas A. Ferraro of Lone Tree, Colorado, to serve as an executive officer of a state credit union and as a Republican, reappointed;

Stephen R. Williams of Gunnison, Colorado, to serve as an executive officer of a state savings and loan association and as a Democrat, reappointed;

Martelle Chapital of Westminster, Colorado, to serve as a public member with expertise in finance and as a Democrat, reappointed.

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Business,
Labor, &
Technology

The Committee on Business, Labor and Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
COLORADO BANKING BOARD

for a term expiring July 1, 2009:

Mary S. Reisher of Cherry Hills Village, Colorado, to serve as an executive officer of a state bank and as an Unaffiliated from the First Congressional District, reappointed;

William A. Mitchell, Jr., of Superior, Colorado, to serve as an executive officer of a state bank and as a Republican from the Second Congressional District, reappointed;

D. Terry Reitan of Golden, Colorado, to serve as the representative of an executive officer of a trust company and as an Unaffiliated from the Sixth Congressional District, reappointed.

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **SB06-221** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

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

"SECTION 1. 10-16-221 (2) (m) and (2) (n), Colorado Revised Statutes, are amended, and the said 10-16-221 (2) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

10-16-221. Health care task force - creation - duties - repeal.

(2) In carrying out its duties and functions under this section, the task force may consider, but not be limited to:

(m) Certificates of need; and

(n) Increased access to health care through the use of appropriate communication technologies, including the use of telemedicine; AND

(o) THE ESTABLISHMENT OF A NEW SYSTEM TO REIMBURSE EMERGENCY RESPONDERS AND TRAUMA CARE PROVIDERS FOR UNREIMBURSED COSTS.

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."

Page 1, strike lines 102 through 105 and substitute the following:

"REIMBURSEMENT PROGRAM."

Judiciary

After consideration on the merits, the Committee recommends that **HB06-1347** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 5, line 3, strike "REMOVAL," and substitute "REMOVAL FOR MISCONDUCT, INCOMPETENCE, OR NEGLECT OF DUTY,".

Page 6, line 20, strike "TASK FORCE" and substitute "UNIT".

Judiciary

After consideration on the merits, the Committee recommends that **HB06-1330** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **HB06-1379** be referred to the Committee of the Whole with favorable recommendation.

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On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills -- SB06-071, SB06-201, SB06-090.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB06-071 by Senator(s) Veiga; also Representative(s) Massey--Concerning the increased regulation of agreements offered to a home owner in connection with foreclosure of the home owner's residence.

Senator Veiga moved that the Senate concur in House amendments to SB06-071, as printed in House Journal, April 5, pages 1058-1062. The motion was passed by the following roll call vote:

Table with 8 columns: YES (33), NO (0), EXCUSED (2), ABSENT (0). Rows list senators: Bacon, Boyd, Brophy, Dyer, Entz, Evans, Gordon, Groff, Grossman and their corresponding votes.

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

Table with 8 columns: YES (34), NO (0), EXCUSED (1), ABSENT (0). Rows list senators: Bacon, Boyd, Brophy, Dyer, Entz, Evans, Gordon, Groff, Grossman and their corresponding votes.

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

SB06-201 by Senator(s) Veiga; also Representative(s) Benefield--Concerning an extension of the period during which the voluntary contribution designation benefiting the Colorado domestic abuse program fund shall appear on the state individual income tax return forms.

Senator Veiga moved that the Senate concur in House amendments to SB06-201, as printed in House Journal, April 11, page 1139. The motion was passed by the following roll call vote:

Table with 8 columns: YES (34), NO (0), EXCUSED (1), ABSENT (0). Rows list senators: Bacon, Boyd, Brophy, Dyer, Entz, Evans, Gordon, Groff, Grossman and their corresponding votes.

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

YES	34	NO	0	EXCUSED	1	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	E
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**.

Co-sponsors added: Dyer, Entz and Jones.

SB06-090 by Senator(s) Wiens, Johnson; also Representative(s) Harvey--Concerning local government cooperation with federal officials regarding the immigration status of persons in this state.

Senator Wiens moved that the Senate concur in House amendments to **SB06-090**, as printed in House Journal, April 11, page 1122-1123 and page 1156 and April 13, pages 1185-1188. The motion was **passed** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	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	E
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	0	EXCUSED	1	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	E
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**.

Co-sponsors added: Boyd.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Takis, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
COLORADO AERONAUTICAL BOARD

for terms expiring December 19, 2008:

Dennis R Heap of Commerce City, Colorado, to fill the vacancy occasioned by the resignation of Corinne C. Nystrom of Mesa, Colorado, and to serve as a representative of a statewide association of airport managers, appointed;

E. Patrick Wiesner of Castle Rock, Colorado, to serve as a representative of a statewide association of pilots, reappointed.

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		

On motion of Senator Grossman, the following Governor's appointments were confirmed by a roll call vote:

**MEMBERS OF THE
STATE BOARD OF PAROLE**

for terms expiring July 1, 2008

Deborah C. Allen of Aurora, Colorado, to serve as a citizen representative, reappointed;

Matthew J. Rhodes of Pueblo West, Colorado, to serve as a citizen representative, reappointed;

for terms expiring July 1, 2008, effective July 1, 2005:

Leslee V. Waggener of Centennial, Colorado, to serve as a parole or probation officer, appointed.

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		

On motion of Senator Veiga, the following Governor's appointments were confirmed by a roll call vote:

**MEMBERS OF THE
PINNACOL ASSURANCE BOARD OF DIRECTORS**

for a term expiring January 1, 2007:

Ryan L. Hettich of Colorado Springs, Colorado, to fill the vacancy occasioned by the resignation of Diedra A. Garcia of Lakewood, Colorado, and to serve as an employer whose liability is insured by Pinnacol Assurance, appointed;

for terms expiring January 1, 2011:

Paul J. Suss of Centennial, Colorado, to serve as an employer whose liability is insured by Pinnacol Assurance, reappointed;

Debra E. Lovejoy of Colorado Springs, Colorado, to serve as an employee representative whose liability is insured by Pinnacol Assurance, reappointed.

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		

On motion of Senator Veiga, the following Governor's appointments were confirmed by a roll call vote:

BOARD OF DIRECTORS OF DENVER METROPOLITAN
MAJOR LEAGUE STADIUM DISTRICT

for terms expiring August 1, 2009:

Raymond T. Baker of Lakewood, Colorado, reappointed;

Mac J. Slingerlend of Englewood, Colorado, reappointed;

F. Robert Lee of Littleton, Colorado, appointed;

Patricia D. Baca of Denver, Colorado, appointed;

John P. Dikeou of Denver, Colorado, reappointed;

Patty Imhoff of Greenwood Village, Colorado, appointed.

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		

On motion of Senator Windels, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

for terms expiring July 1, 2009:

Richard L. Ramirez of Fort Collins, Colorado, to serve as a representative of the Fourth Congressional District and as a Democrat, appointed;

Edward A. Robinson of Greenwood Village, Colorado, to serve as a representative of the Sixth Congressional District and as a Democrat, appointed.

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		

On motion of Senator Windels, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
BOARD OF TRUSTEES FOR MESA STATE COLLEGE

for terms expiring January 1, 2010:

Jane D. North of Englewood, Colorado, reappointed;

Michael F. Feeley of Lakewood, Colorado, appointed.

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		

On motion of Senator Windels, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE

effective January 1, 2006 for a term expiring January 1, 2010:

Brian T. Bissell of Lakewood, Colorado, to serve as a Republican, appointed.

for a term expiring January 1, 2010:

Michael D. Pugh of Pueblo, Colorado, to serve as a Republican, reappointed.

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		

IMMEDIATE RECONSIDERATION OF SB06-090

SB06-090 by Senator(s) Wiens, Johnson; also Representative(s) Harvey--Concerning local government cooperation with federal officials regarding the immigration status of persons in this state.

Having voted on the prevailing side, Senator Gordon moved for immediate reconsideration of the last Senate action, Repassage of SB06-090. 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, reconsideration was granted.

REPASSAGE OF SB06-090

SB06-090 by Senator(s) Wiens, Johnson; also Representative(s) Harvey--Concerning local government cooperation with federal officials regarding the immigration status of persons in this state.

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	N	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	N	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 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 -- SB06-067.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB06-067 by Senator(s) Hanna, Shaffer; also Representative(s) Kerr--Concerning suicidal behavior among students in higher education.

Senator Shaffer moved that the Senate adhere to its position on **SB06-067**. 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		

SENATE SERVICES REPORT

Correctly Printed: SCR06-005.
Correctly Reengrossed: SB06-149, 223, and 224.
Correctly Rerevised: HB06-1019, 1297, and 1386.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR06-027.
The President has signed: SB06-023, 042, 060, 062, 091, 112, 113, 115, 119, 134,
137, 163, 177, 192, 195, and 196.

TRIBUTES

Honoring:

Dianne Tramutola-Lawson -- by Senator Gordon.
American Jewish Committee -- by Senator Fitz-Gerald.

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 18 was laid over until
Wednesday, April 19, retaining its place on the calendar.

Consideration of Resolutions: SJR06-019, SJR06-020, SJR06-022, HJR06-1021,
SJR06-015.
Consideration of Memorials: SJM06-001, HJM06-1002.
Consideration of House Amendments to Senate Bills: SB06-051, SB06-014, SB06-041.
Consideration of Governor's Appointments:
Members of the Read-To-Achieve Board.
Consideration of Conference Committee Reports: HB06-1288, HB06-1209.
Conference Committees to Report: HB06-1121, HB06-1169, HB06-1251.

On motion of Senator Gordon, the Senate adjourned until 9:00 a.m., Wednesday, April 19,
2006.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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