

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

118th Legislative Day Monday, May 5, 2008

Prayer By the chaplain, Rev. Arlyn Tolzmann, Holy Cross Lutheran Church, Wheat Ridge.

Pledge By Senator Takis.

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

Roll Call Present--33.
Absent--2; Romer, Williams.
Present later--Romer, Williams.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Kopp, reading of the Journal of May 2, 2008 was dispensed with and the Journal was approved as corrected by the Secretary.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions -- SJR08-042 and SR08-005.

CONSIDERATION OF RESOLUTIONS

SJR08-042 by Senator(s) Gordon, Groff, McElhany; also Representative(s) Madden, Romanoff, May M.--Concerning the appointment of a joint committee to notify the Governor that the Second Regular Session of the Sixty-sixth General Assembly is about to adjourn sine die.

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

YES	33	NO	0	EXCUSED	0	ABSENT	2
Bacon	Y	Johnson	Y	Romer	A	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	A
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

The President appointed Senators Senators Gordon and McElhany to serve on the committee to notify the Governor.

SR08-005 by Senator(s) Kopp and Tochtrop; --Concerning the importance of Foreign Trade Zones in Colorado.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

Co-sponsors added: Bacon, Boyd, Brophy, Cadman, Gibbs, Gordon, Groff, Hagedorn, Harvey, Isgar, Johnson, Keller, Kester, McElhany, Mitchell S., Morse, Penry, Renfroe, Romer, Sandoval, Schultheis, Schwartz, Shaffer, Spence, Takis, Tapia, Taylor, Tupa, Veiga, Ward, Wiens and Windels.

On motion of Senator Shaffer, 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 -- SB08-212.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB08-212 by Senator(s) Romer and Penry, Boyd, Gibbs, Keller, Mitchell S., Morse, Schwartz, Veiga, Bacon, Gordon, Groff, Tapia, Tochtrop, Williams, Windels; also Representative(s) Witwer and Scanlan, Benefield, Casso, Hodge, Jahn, Kerr A., Marostica, Massey, May M., McFadyen, McNulty, Middleton, Mitchell V., Rice, Summers, Todd--Concerning alignment of preschool to postsecondary education, and making an appropriation in connection therewith.

Senator Penry moved that the Senate not concur in House amendments to **SB08-212**, as printed in House Journal, May 1, pages 1808-1809 and May 2, pages 1838-1839, and that a Conference Committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

The President appointed Senators Romer, Chair, Penry, and Groff as Senate Conferees on the First Conference Committee on **SB08-212**.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB08-1329 by Representative(s) Marshall; also Senator(s) Gordon--Concerning procedures for updating voter registration lists as applied to registered electors deemed inactive in connection with mail ballot elections.

Senator Gordon moved that the Senate Conferees on the First Conference Committee on **HB08-1329** be granted permission to go beyond the scope of the differences between the two Houses.

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

On motion of Senator Gordon, and with a 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 -- SB08-224.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB08-224 by Senator(s) Harvey and Tapia; also Representative(s) McFadyen--Concerning measures to ease the regulatory burden of compliance with the "Elevator and Escalator Certification Act".

Senator Harvey moved that the Senate not concur in House amendments to **SB08-224**, as printed in House Journal, May 1, page 1806, and that a Conference Committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bacon	N	Johnson	Y	Romer	Y	Tochtrop	N
Boyd	N	Keller	N	Sandoval	Y	Tupa	N
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	N	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	N	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	N	Morse	N	Takis	N	Windels	N
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

The President appointed Senators Harvey, Chair, Tapia, and Gibbs as Senate Conferees on the First Conference Committee on **SB08-224**.

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the Committee recommends that **HB08-1216** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 17, strike "ON FINES COLLECTED";

line 18, strike "PURSUANT TO TITLE 12, C.R.S.";

line 19, strike "AGENCIES." and substitute "AGENCIES WITHIN THE DEPARTMENT OF REGULATORY AGENCIES, INCLUDING FINES COLLECTED PURSUANT TO TITLES 10, 11, 12, 40, AND 42, C.R.S."

Page 3, strike lines 26 and 27 and insert the following:

"SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the insurance ombudsman cash fund created in section 10-1-133 (2), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the executive director's office, for legal services, for the fiscal year beginning July 1, 2008, the sum of twenty-one thousand six hundred nine dollars (\$21,609), or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the consumer outreach and education cash fund created in section 24-34-108 (2), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the executive director's office, for the purposes of consumer outreach and education, for the fiscal year beginning July 1, 2008, the sum of two hundred thousand dollars (\$200,000), or so much thereof as may be necessary, for the implementation of this act.

(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the insurance ombudsman cash fund created in section 10-1-133 (2), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the division of insurance, office of the insurance ombudsman, for the fiscal year beginning July 1, 2008, the sum of two hundred nine thousand sixty dollars (\$209,060) and 3.0 FTE, or so much thereof as may be necessary, for the implementation of this act.

(4) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2008, the sum of twenty-one thousand six hundred nine dollars (\$21,609) and 0.2 FTE, or so much thereof as may be necessary, for the provision of legal services to the department of regulatory agencies related to the implementation of this act. Said sum shall be from reappropriated funds received from the executive director's office out of the appropriation made in subsection (1) of this section."

Page 4, strike lines 1 through 7.

Amend the Hagedorn amendment, as printed in the Senate Journal, May 1, 2008, page 1299, line 12, strike "FIFTEEN-CENT" and substitute "FIVE-CENT".

Appropriations After consideration on the merits, the Committee recommends that **HB08-1409** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 8, line 9, after "2008," insert "shall be adjusted as follows: The appropriation".

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

SPECIAL ORDERS -- SECOND READING OF BILLS

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

HB08-1410 by Representative(s) Kerr A., Frangas, Borodkin, Butcher, Casso, Ferrandino, Fischer, Gallegos, Green, Hodge, Kefalas, Labuda, Madden, Marshall, McFadyen, McGihon, Middleton, Peniston, Primavera, Scanlan, Soper, Todd; also Senator(s) Tochtrop-- Concerning a requirement that health insurance plans include coverage for colorectal cancer prevention services, and, in connection therewith, exempting certain small group basic health plans.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 29, pages 1308-1309 and placed in members' bill files.)

Amendment No. 2(L.014), by Senator Tochtrop.

Amend the State, Veterans, and Military Affairs Committee Report, dated May 1, 2008, page 1, line 4, strike "THE SUM OF THE POLICY" and substitute "POLICY";

line 10, after "OR", insert "COLORECTAL".

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.
(For further action, see Amendments to the Report of the Committee of the Whole.)

HCR08-1009	by Representative(s) Lambert; also Senator(s) Schultheis--Submitting to the registered electors of the state of Colorado the repeal of section 7 of article XVIII of the state constitution, concerning outdated, obsolete provisions regarding land value increase.	1 2 3 4
	Ordered revised and placed on the calendar for Third Reading and Final Passage.	5 6
HCR08-1008	by Representative(s) Lambert; also Senator(s) Schultheis--Submitting to the registered electors of the state of Colorado the repeal of section 5 of article XVIII and article XXII of the state constitution, concerning the elimination of outdated obsolete provisions of the state constitution.	7 8 9 10 11
	Ordered revised and placed on the calendar for Third Reading and Final Passage.	12 13
HB08-1356	by Representative(s) Merrifield, Kefalas, Soper, Weissmann; also Senator(s) Tupa and Boyd--Concerning landlord and tenant relations.	14 15 16
	<u>Amendment No. 1, Judiciary Committee Amendment.</u> (Printed in Senate Journal, May 1, page 1313 and placed in members' bill files.)	17 18 19
	As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.	20 21 22 23
HB08-1411	by Representative(s) Marshall, Stafford, Frangas, Massey, Borodkin, Carroll T., Liston, Madden, Primavera, Stephens; also Senator(s) Sandoval--Concerning the prohibition of incentives to limit the provision of medically appropriate health care services to a covered person.	24 25 26 27 28
	<u>Amendment No. 1, Finance Committee Amendment.</u> (Printed in Senate Journal, May 1, page 1314 and placed in members' bill files.)	29 30 31
	<u>Amendment No. 2(L.014), by Senator Sandoval.</u>	32 33
	Amend reengrossed bill, page 2, line 13, after "(3)", insert "(a)";	34 35
	after line 21, insert the following:	36 37
	"(b) NOTHING IN THIS SECTION SHALL PROHIBIT THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING FROM PROMULGATING RULES GOVERNING HEALTH CARE PROVIDER CONTRACTS FOR SERVICES PURSUANT TO THE "COLORADO MEDICAL ASSISTANCE ACT", ARTICLES 4, 5, AND 6 OF TITLE 25.5, C.R.S."	38 39 40 41 42 43
	<u>Amendment No. 3(L.015), by Senator Sandoval.</u>	44 45
	Amend the Finance Committee Report, dated May 1, 2008, page 1, line 8, after "BEST", insert "SCIENTIFIC".	46 47 48
	Amend reengrossed bill, page 3, line 8, strike "SERVICES." and substitute "SERVICES; A COMPANY UNDER CONTRACT WITH MANAGED CARE ORGANIZATIONS, SELF-INSURED COMPANIES, AND GOVERNMENT PROGRAMS THAT IS PRIMARILY RESPONSIBLE FOR PROCESSING AND PAYING PRESCRIPTION DRUG CLAIMS AND DEVELOPING AND MAINTAINING THE FORMULARY, CONTRACTING ¹⁴ WITH PHARMACIES, AND NEGOTIATING DISCOUNTS WITH DRUG MANUFACTURERS; A PHARMACEUTICAL OR DRUG MANUFACTURER; A MEDICAL DEVICE COMPANY; AND A BIOLOGICS COMPANY."	49 50 51 52 53 54 55 56 57
	<u>Amendment No. 4(L.017), by Senator Hagedorn.</u>	58 59 60
	Amend the Finance Committee Report, dated May 1, 2008, page 1, strike lines 7 through 9 and substitute the following:	61 62 63
	""(b) "EVIDENCE-BASED" MEANS STANDARDS, GUIDELINES, INFORMATION, RECOMMENDATIONS, PROGRAMS, PRACTICES, AND POLICIES GLEANED FROM CLINICAL EXPERIENCE THAT HAS MET SOME ESTABLISHED TEST OF VALIDITY, AND THE APPROPRIATE STANDARD IS DETERMINED ACCORDING TO THE REQUIREMENTS OF THE INTERVENTION AND CLINICAL CIRCUMSTANCE DERIVED FROM PROCESSES THAT INVOLVE THE	64 65 66 67 68 69

DEVELOPMENT AND USE OF EVIDENCE THAT IS ACCESSIBLE AND
TRANSPARENT TO ALL STAKEHOLDERS.".

As amended, declared LOST on Second Reading.
(For further action, see Amendments to the Report of the Committee of the Whole.)

Senator Gordon moved that the Committee of the Whole rise, report progress, and beg
leave to sit again at 2:00 p.m. A majority of those elected to the Senate having voted in the
affirmative, the motion was adopted.

REPORT OF THE COMMITTEE OF THE WHOLE

Passed on Second Reading: HB08-1410 as amended, HCR08-1009, HCR08-1008,
HB08-1356 as amended.
Lost on Second Reading: HB08-1411 as amended.

Committee of the Whole in recess.

COMMITTEE OF REFERENCE REPORTS

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

MEMBER OF THE
WORKERS' COMPENSATION COST
CONTAINMENT BOARD

for terms expiring December 13, 2010:

Patrick W. Hagge of Fort Collins, Colorado to represent an employer with good risk
management experience with respect to their workers' compensation insurance,
reappointed.

Finance After consideration on the merits, the Committee recommends that **HB08-1408** be
amended as follows, and as so amended, be referred to the Committee of the Whole with
favorable recommendation.

Amend reengrossed bill, page 6, strike lines 22 through 27.

Page 7, strike lines 1 through 9.

ReNUMBER succeeding sections accordingly.

Page 8, strike line 3 and substitute the following:

"THAT IS:

(a) THE SAME AS, OR SUBSTANTIALLY SIMILAR TO, A TRANSACTION
OR";

line 7, strike "CODE." and substitute "CODE; OR";

after line 7, insert the following:

"(b) A TRANSACTION INVOLVING A CAPTIVE REAL ESTATE
INVESTMENT TRUST AS DEFINED IN SECTION 39-22-503 (2).";

strike lines 12 and 13 and substitute the following:

"ARRANGEMENT THAT IS THE SAME AS ANY TRANSACTION OR
ARRANGEMENT DESCRIBED IN 26 CFR 1.6011-4 (b) (2) TO (6).".

Page 9, after line 13, insert the following:

"(6) ANY STATEMENT REQUIRED TO BE FILED OR DISCLOSURE
REQUIRED TO BE MADE BY THIS SECTION THAT IS FILED OR MADE ON OR
BEFORE DECEMBER 31, 2008, SHALL BE CONSIDERED TO BE TIMELY FILED
OR MADE."

Page 13, strike lines 18 through 22.

Renumber succeeding section accordingly.

On motion of Senator Gordon, and with a majority of those elected to the Senate having
voted in the affirmative, the Senate proceeded out of order for Third Reading of Bills --
Final Passage -- SB08-246.

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:

SB08-246 by Senator(s) Williams, McElhany, Mitchell S., Romer, Spence; also Representative(s) Jahn
and Lundberg, Massey, Balmer, Buescher, Rice, Rose--Concerning a clarification of the
prohibition on selling below cost under the Colorado "Unfair Practices Act".

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	N
Boyd	Y	Keller	N	Sandoval	Y	Tupa	N
Brophy	Y	Kester	N	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	N	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	N
Gordon	N	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	N	Takis	Y	Windels	N
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	N	Renfroe	Y	Taylor	N		

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

MESSAGE FROM THE HOUSE

May 5, 2008
Mr. President:

The House has passed on Third Reading and returns herewith SB08-231, 230.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB08-233, amended as printed in House Journal, May 2, pages 1876-1877.

May 5, 2008
Mr. President:

The House has voted to concur in the Senate amendments to HB08-1161, 1208,
1380, 1031, 1021, 1194, 1013, 1352, 1047, 1317, 1168, 1393, 1385, 1397, 1396,
1082, and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB8-1267 and requests
that a conference committee be appointed. The Speaker has appointed Representatives
Massey, chairman, Buescher, and Curry as House conferees on the First Conference
Committee on HB08-1267. The House has granted authorization to go beyond the scope
of the differences. The bill is transmitted herewith.

In response to the request of the Senate, the Speaker has appointed Representatives McFadyen, chairman, Rice, and Balmer as House conferees on the First Conference Committee on SB08-224. The House has granted authorization to go beyond the scope of the differences.

The Speaker has appointed Representatives Witwer, chairman, Scanlan, and A. Kerr as House conferees on the First Conference Committee on SB08-212.

The House has voted not to concur in the Senate amendments to HB08-1227 and requests that a conference committee be appointed. The Speaker has appointed Representatives Madden, chairman, McFadyen, and White as House conferees on the First Conference Committee on HB08-1227. The bill is transmitted herewith.

The House has postponed indefinitely SCR08-005. The resolution is returned herewith.

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Kester, Chair, Bacon, and Morse as Senate Conferees on the First Conference Committee on **HB08-1267**.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB08-1267 by Representative(s) Massey, Balmer, Benefield, Carroll M., Gardner C., May M., McNulty, Merrifield, Rose, Solano, Stephens, Todd, Witwer; also Senator(s) Kester--Concerning the creation of a first responder school mapping system, and making an appropriation therefor.

Senator Kester moved that the Senate Conferees on the First Conference Committee on **HB08-1267** be granted permission to go beyond the scope of the differences between the two Houses.

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

Senate in recess.

Senate reconvened.

Call of the Senate.

Call raised.

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 Governor's Appointments.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

MEMBERS OF THE
STATE BOARD OF
STOCK INSPECTION COMMISSIONERS

for terms expiring May 1, 2011:

Tim E. Thatcher of Pueblo, Colorado, to serve as a representative of the non-confinement cattle industry, appointed;

Tracy Lungwitz of Yuma, Colorado, to serve as a representative of the confinement cattle industry, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

MEMBERS OF THE
UNIVERSITY OF COLORADO HOSPITAL AUTHORITY
BOARD OF DIRECTORS

From the Fifth Congressional District: William J. Hybl for a term effective March 1, 2008, and continuing until February 29, 2012 (or until his successor is appointed by the Board of Regents).

From the Seventh Congressional District: Tim Travis for a term effective March 1, 2007, and continuing until February 28, 2011 (or until his successor is appointed by the Board of Regents).

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

On motion of Senator Hagedorn, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
COLORADO COMMISSION ON THE AGING

for a term expiring July 1, 2008:

Gretchen G. Cerveny of Wheat Ridge, Colorado, to fill the vacancy occasioned by the resignation of Marion P. Fairbank of Aurora, Colorado, and to serve as a Republican from the Seventh Congressional District, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

MEMBERS OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for terms expiring June 1, 2010:

Robert E. Perlman of Littleton, Colorado, to serve as a representative of the ski industry and as a Republican, reappointed;

Richard W. Scharf of Littleton, Colorado, to serve as a representative of the destination marketing industry, and as a Republican, appointed.

for terms expiring June 1, 2011:

John J. Schafer of Parker, Colorado, to serve as a representative of the hotel, motel and lodging industry, and as an Unaffiliated, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

MEMBERS OF THE
STATE AGRICULTURAL COMMISSION

effective June 11, 2007, for a term expiring March 1, 2009:

Alex C. Gerace of Denver, Colorado, to serve as an Unaffiliated from the First Agricultural District, appointed.

effective June 11, 2007, for terms expiring March 1, 2011:

Barbara L. Marty of Henderson, Colorado, to serve as a Republican from the First Agricultural District, appointed;

Ernest D. Ford of Center, Colorado, to serve as a Democrat from the Third Agricultural District, appointed;

Penny H. Lewis of Kremmling, Colorado, to serve as a Republican from the Fourth Agricultural District, reappointed;

Thomas K. Cameron of Palisade, Colorado, to serve as a Democrat from the Fourth Agricultural District, appointed;

John W. Singletary of Pueblo, Colorado, to serve as a Democrat and at-large member, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

MEMBERS OF THE
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for terms expiring September 1, 2011:

Leo J. Johnson of Littleton, Colorado to serve as a representative of a board of directors of a special district, reappointed;

Timothy J. Nash of Greeley, Colorado to serve as a representative of Colorado municipal employers, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

On motion of Senator Isgar, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
COLORADO WILDLIFE HABITAT STAMP COMMITTEE

for a term expiring December 31, 2011:

Jennifer A. Clanahan of Denver, Colorado to serve as a representative of national or regionally recognized conservation organizations whose missions are focused on nongame wildlife and whose membership is composed primarily of nongame wildlife users, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

On motion of Senator Isgar, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
RENEWABLE ENERGY AUTHORITY BOARD OF DIRECTORS

for a term expiring July 1, 2011:

Donald M. Elliman of Englewood, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

MEMBERS OF THE
COLORADO WATER CONSERVATION BOARD

for terms expiring February 12, 2011:

Reed K. Dils of Buena Vista, Colorado to serve as a representative from the Arkansas drainage basin and as a Democrat, appointed;

Travis L. Smith of Del Norte, Colorado to serve as a representative from the Rio Grande drainage basin and as a Republican, reappointed;

Bruce T. Whitehead of Hesperus, Colorado to serve as a representative from the San Miguel-Dolores-San Juan drainage basins and as an Unaffiliated, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

MEMBERS OF THE
COLORADO AERONAUTICAL BOARD

for a term expiring December 19, 2008:

Joseph H. Thibodeau of Denver, Colorado to fill the vacancy occasioned by the resignation of E. Patrick Wiesner of Castle Rock, Colorado and to serve as a representative of the statewide association of pilots, appointed;

for terms expiring December 19, 2009:

Harold W. Patton, Jr., of Greenwood Village, Colorado to serve as a representative of local government from the eastern slope, reappointed;

Louis A. Spera of Pueblo West, Colorado to serve as a representative of local government from the eastern slope, appointed;

David A. Ubell of Olathe, Colorado to serve as a representative of local government from the western slope, appointed.

for terms expiring December 19, 2010:

Debra K. Wilcox of Centennial, Colorado to serve as an individual familiar with and supportive of the state's aviation issues, interests, and concerns, appointed;

Dale E. Hancock of Glenwood Springs, Colorado to serve as a representative of local government from the western slope, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	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 THE
UNIVERSITY OF NORTHERN COLORADO

for terms expiring December 31, 2011:

Richard James "Jim" Chavez of Highlands Ranch, Colorado to serve as a Democrat, appointed;

Jerry L. Morgensen of Greeley, Colorado to serve as a Republican, reappointed;

Darlene J. LeDoux of Lakewood, Colorado to serve as a Democrat, reappointed;

Carlotta LaNier of Englewood, Colorado to serve as a Democrat, reappointed.

Richard S. Gast of Timnath, Colorado to serve as a Democrat, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

MEMBER OF THE
BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE

for a term expiring December 31, 2011:

Richard G. Ballantine of Durango, Colorado to serve as a Republican, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

MEMBER OF THE
BOARD OF TRUSTEES FOR
ADAMS STATE COLLEGE

for a term expiring December 31, 2008:

Ann C. Rice of Greenwood Village, Colorado to fill the vacancy occasioned by the resignation of Meyer M. Saltzman of Denver, Colorado, and to serve as a Republican, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

MEMBERS OF THE
READ-TO-ACHIEVE BOARD

for terms expiring April 1, 2010:

Katie Carroll of Rocky Ford, Colorado, to serve as a member with knowledge of the best practices in reading and reading instruction, and as a Republican, appointed.

for terms expiring April 1, 2011:

Teresa L. Williams of Westminster, Colorado, to serve as a member with knowledge of and experience in public education in elementary grades and as a Democrat, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB08-1388

THIS REPORT AMENDS THE
REREVISED BILL

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

Your first conference committee appointed on HB08-1388,
concerning the financing of public schools, and making an appropriation
therefor, has met and reports that it has agreed upon the following:

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

Amend rerevised bill, page 5, line 8, strike "\$5,269.63," and substitute "\$5,270.13,";

line 9, strike "\$19.22" and substitute "\$19.72";

line 10, strike "\$19.22" and substitute "\$19.72";

line 20, strike "nine million seven hundred";

line 21, strike "thousand" and substitute "ten million".

Page 6, line 5, strike "\$5,269.63," and substitute "\$5,270.13,";

line 6, strike "\$182.02" and substitute "\$182.52";

line 7, strike "\$19.22" and substitute "\$19.72".

Page 9, line 9, strike the second **"and"**;

line 10, strike **"kindergarten"**;

line 17, after "THE" insert "MINIMUM";

line 27, strike "FOR" and substitute "~~Such~~ FOR", and after "THEREAFTER, THE", insert "MINIMUM".

Page 15, line 6, after "FUND.", add "OF SUCH ADDITIONAL MONEYS APPROPRIATED IN THE 2008-09 BUDGET YEAR, ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS SHALL BE DISTRIBUTED PURSUANT TO SECTION 22-54-133.".

Page 25, line 27, strike "YEAR AND EACH BUDGET YEAR".

Page 26, strike line 1;

line 2, strike "MILLION DOLLARS TO BE USED" and substitute "YEAR, OF THE MONEYS APPROPRIATED";

line 3, strike "22-20-114.5," and substitute "22-54-124 (3),";

line 4, strike "ADDITIONAL", and after "SECTION.", add "THIS SECTION SHALL NOT AFFECT THE ABILITY OF A CHARTER SCHOOL FOR THE DEAF OR THE BLIND TO APPLY FOR AND TO BE ELIGIBLE TO RECEIVE ADDITIONAL MONEYS PURSUANT TO SECTION 22-54-124 (3).".

Page 30, line 24, strike "YEAR; EXCEPT THAT, FOR" and substitute "YEAR.";

strike lines 25 through 27.

Page 31, strike lines 1 through 3.

Page 35, line 11, strike **"and kindergarten"**;

line 13, strike "AND";

line 14, strike "KINDERGARTEN";

line 15, strike "AND KINDERGARTEN";

line 18, strike "AND KINDERGARTEN";

line 20, strike "AND KINDERGARTEN";

line 23, strike "AND";

line 24, strike "KINDERGARTEN";

line 26, strike "AND";

line 27, strike "KINDERGARTEN".

Page 36, line 1, strike "AND";

line 2, strike "KINDERGARTEN";

line 24, strike "ALLOW A";

strike lines 25 through 27.

Page 37, strike lines 1 through 3 and substitute the following:

"ADOPT AND IMPLEMENT A POLICY TO ALLOW A STUDENT ENROLLED IN THE TWELFTH GRADE WHO SATISFIES THE REQUIREMENTS OF THIS PARAGRAPH (k) TO SEEK A WAIVER, UNDER LIMITED CIRCUMSTANCES, FROM ANY SCHOOL DISTRICT REQUIREMENTS FOR MINIMUM COURSE ENROLLMENT DURING THE TWELFTH GRADE YEAR. EACH SCHOOL DISTRICT SHALL MAKE THE POLICY IMPLEMENTED PURSUANT TO THIS PARAGRAPH (k) AVAILABLE TO PARENTS OF STUDENTS ENROLLED IN THE DISTRICT."

Page 50, strike lines 23 through 27.

Strike pages 51 through 56.

Page 57, strike lines 1 through 15 and substitute the following:

"SECTION 35. Title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

ARTICLE 69
Alternative Teacher Compensation Plan Act

22-69-101. Short title. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "ALTERNATIVE TEACHER COMPENSATION PLAN ACT".

22-69-102. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS THAT:

(a) TEACHERS ARE A KEY COMPONENT IN THE ACADEMIC SUCCESS OF CHILDREN;

(b) TO SUPPORT TEACHERS, SCHOOL DISTRICTS SHOULD ENCOURAGE INNOVATIVE, CREATIVE, AND HIGH-QUALITY TEACHING PRACTICES, AND TEACHERS WHO FOLLOW THESE PRACTICES AND WHO PROMOTE EXCELLENT STUDENT PERFORMANCE SHOULD BE REWARDED;

(c) PROMOTING STUDENT PERFORMANCE AND ACHIEVING TEACHING EXCELLENCE IS PARTICULARLY DIFFICULT WHEN DEALING WITH THE ISSUES RELATED TO AT-RISK STUDENTS;

(d) CONSISTENT WITH THE FINDINGS OF THE P-20 COUNCIL, THE STATE DOES NOT FULLY FUND STATE MANDATES NOR ADEQUATELY MEET THE NEEDS OF SCHOOL DISTRICTS TO ATTRACT, RETAIN, AND SUPPORT THE HIGH-QUALITY TEACHERS NEEDED TO REACH COLORADO'S EDUCATIONAL GOALS;

(e) ALTERNATIVE TEACHER COMPENSATION PLANS CAN SERVE AS A MECHANISM FOR REWARDING TEACHING EXCELLENCE AND ENCOURAGING CREATIVE AND INNOVATIVE APPROACHES TO HELPING COLORADO IMPROVE THE ACADEMIC PERFORMANCE OF ALL STUDENTS AND MEET ITS EDUCATION GOALS THAT INCLUDE, BUT ARE NOT LIMITED TO, DECREASING THE DROPOUT RATE, CLOSING THE ACHIEVEMENT GAP, AND INCREASING THE NUMBER OF POSTSECONDARY DEGREES AND CERTIFICATES AWARDED TO COLORADO STUDENTS; AND

(f) CONSISTENT WITH THE RECOMMENDATIONS OF THE P-20 COUNCIL, THE ULTIMATE SUCCESS OF ALTERNATIVE COMPENSATION SYSTEMS WILL REQUIRE BOTH SIGNIFICANT INCREASES IN BASE PAY AND SUSTAINED, STABLE, AND SUFFICIENT FINANCIAL RESOURCES TO ENSURE THAT MEANINGFUL, DIFFERENTIATED PAY SCHEDULES CAN BE SUPPORTED OVER THE LONG TERM.

(2) THE GENERAL ASSEMBLY THEREFORE DECLARES THAT PROVIDING SEED MONEY THROUGH A COMPETITIVE GRANT PROGRAM TO SCHOOL DISTRICTS THAT SEEK TO DEVELOP ALTERNATIVE TEACHER COMPENSATION PLANS IS A CONCRETE WAY IN WHICH THE STATE CAN FURTHER THE GOALS OF TEACHING EXCELLENCE AND HIGH STUDENT ACHIEVEMENT IN THE PARTICIPATING SCHOOL DISTRICTS.

(3) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT, FOR PURPOSES OF SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, PROVIDING FUNDING FOR THE DESIGN AND DEVELOPMENT OF ALTERNATIVE TEACHER COMPENSATION PLANS IS SPECIFICALLY INCLUDED AS AN AUTHORIZED USE OF MONEYS IN THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION. THEREFORE, THIS ARTICLE MAY BE IMPLEMENTED WITH APPROPRIATIONS FROM THE STATE EDUCATION FUND.

22-69-103. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION, CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

(2) "GRANT PROGRAM" MEANS THE ALTERNATIVE TEACHER COMPENSATION PLAN GRANT PROGRAM CREATED PURSUANT TO SECTION 22-69-104.

(3) "P-20 COUNCIL" MEANS THE GOVERNOR'S P-20 EDUCATION COORDINATING COUNCIL CREATED BY THE GOVERNOR UNDER EXECUTIVE ORDER B 003 07.

(4) "SCHOOL DISTRICT" MEANS ANY SCHOOL DISTRICT ORGANIZED AND EXISTING PURSUANT TO LAW BUT DOES NOT INCLUDE A JUNIOR COLLEGE DISTRICT.

(5) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION, CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

(6) "TEACHER" MEANS A PERSON EMPLOYED TO INSTRUCT STUDENTS IN A PUBLIC SCHOOL IN THE STATE.

22-69-104. Alternative teacher compensation plan grant program - created - applications. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT THE ALTERNATIVE TEACHER COMPENSATION PLAN GRANT PROGRAM TO PROVIDE FUNDING TO SCHOOL DISTRICTS TO SUPPORT THE DESIGN AND DEVELOPMENT OF AN ALTERNATIVE TEACHER COMPENSATION PLAN THAT IS TAILORED TO THE PARTICULAR SCHOOL DISTRICT.

(2) (a) THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM AS PROVIDED IN THIS ARTICLE AND PURSUANT TO THE RULES ESTABLISHED BY THE STATE BOARD.

(b) A SCHOOL DISTRICT MAY APPLY TO THE DEPARTMENT, IN ACCORDANCE WITH PROCEDURES AND TIME FRAMES ESTABLISHED BY THE STATE BOARD, TO RECEIVE GRANT MONEYS FOR THE DESIGN AND DEVELOPMENT OF AN ALTERNATIVE TEACHER COMPENSATION PLAN.

(c) THE CRITERIA FOR AWARDING GRANTS, AT A MINIMUM, SHALL REQUIRE THAT:

(I) THE FINAL ALTERNATIVE TEACHER COMPENSATION PLAN BE

DESIGNED AND DEVELOPED COLLABORATIVELY WITH TEACHERS THROUGH THE SCHOOL DISTRICT-ADOPTED PROCEDURES FOR SETTING COMPENSATION, ADMINISTRATORS, PARENTS, AND THE SCHOOL DISTRICT BOARD OF EDUCATION;

(II) THE FINAL ALTERNATIVE TEACHER COMPENSATION PLAN BE OPEN TO ALL TEACHERS WHO MEET THE ESTABLISHED PERFORMANCE CRITERIA WITHOUT REGARD TO GRADE LEVEL, SUBJECT AREA, OR ASSIGNMENT; AND

(III) THE SCHOOL DISTRICT SEEK A STABLE, SUFFICIENT, AND SUSTAINABLE SOURCE OF NEW REVENUE TO FUND THE ALTERNATIVE TEACHER COMPENSATION PLAN ON AN ONGOING BASIS.

(d) THE STATE BOARD SHALL UTILIZE THE RESEARCH AND RESOURCES OF THE P-20 COUNCIL IN ESTABLISHING ANY ADDITIONAL CRITERIA FOR SCHOOL DISTRICTS SEEKING GRANT MONEYS.

(3) MONEYS AWARDED TO A SCHOOL DISTRICT PURSUANT TO THE GRANT PROGRAM SHALL BE USED BY THE SCHOOL DISTRICT TO SUPPORT THE CREATION OF THE SCHOOL DISTRICT'S ALTERNATIVE TEACHER COMPENSATION PLAN. SUPPORT MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

(a) IDENTIFYING OVERALL GOALS AND OBJECTIVES FOR THE SCHOOL DISTRICT'S ALTERNATIVE TEACHER COMPENSATION PLAN;

(b) IDENTIFYING VARIOUS METHODS OF ASSESSING STUDENT ACHIEVEMENT AND TEACHER EFFECTIVENESS;

(c) CREATING DATA SYSTEMS NEEDED FOR AN ALTERNATIVE TEACHER COMPENSATION SYSTEM;

(d) FORECASTING THE FUTURE COSTS OF THE ALTERNATIVE TEACHER COMPENSATION SYSTEM TO ENSURE SUSTAINABILITY;

(e) LINKING THE ALTERNATIVE TEACHER COMPENSATION PLAN WITH THE OVERALL SCHOOL DISTRICT INSTRUCTIONAL IMPROVEMENT STRATEGY AND THE STATE'S EDUCATIONAL GOALS;

(f) ALIGNING THE SCHOOL DISTRICT'S HUMAN RESOURCES, CURRICULUM, AND PROFESSIONAL DEVELOPMENT STRUCTURES WITH THE PAY STRUCTURE SPECIFIED IN THE ALTERNATIVE TEACHER COMPENSATION PLAN;

(g) ESTABLISHING OUTREACH AND ON-GOING COMMUNICATIONS WITHIN THE SCHOOL DISTRICT AND TO THE COMMUNITY REGARDING THE ALTERNATIVE TEACHER COMPENSATION PLAN;

(h) STRATEGIES FOR RECRUITING AND SUPPORTING HIGHLY EFFECTIVE TEACHERS IN STRUGGLING SCHOOLS; AND

(i) STRATEGIES FOR RECRUITING AND RETAINING HIGH-QUALITY TEACHERS IN SUBJECT AREAS THAT ARE DIFFICULT TO STAFF.

(4) A SCHOOL DISTRICT'S FINAL PLAN FOR AN ALTERNATIVE TEACHER COMPENSATION SYSTEM SHALL:

(a) PROVIDE COMPENSATION IN ADDITION TO EXISTING PAY SCHEDULES;

(b) BE TRANSPARENT WITH RESPECT TO HOW A TEACHER QUALIFIES FOR ADDITIONAL COMPENSATION AND HOW MUCH ADDITIONAL COMPENSATION A QUALIFYING TEACHER MAY RECEIVE;

(c) CONTAIN BROAD, MULTI-DIMENSIONAL CRITERIA FOR ASSESSING PERFORMANCE WITHIN THE SYSTEM;

(d) INCLUDE ALL OF THE ADDITIONAL COMPENSATION IN A

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TEACHER'S RETIREMENT OR PENSION CALCULATIONS;

(e) INCLUDE A PROCEDURE FOR CHALLENGING ADVERSE DECISIONS UNDER THE SYSTEM TO ENSURE FAIRNESS; AND

(f) CONTAIN A PROCESS FOR CONTINUAL EVALUATION OF THE SYSTEM THAT SHALL, AT A MINIMUM, ADDRESS THE FOLLOWING:

(I) HOW THE ALTERNATIVE TEACHER COMPENSATION SYSTEM WILL DEMONSTRATE MEASURABLE EFFECTIVENESS;

(II) HOW THE ALTERNATIVE TEACHER COMPENSATION SYSTEM WILL MEASURE AND DEMONSTRATE A DECREASE IN THE SCHOOL DISTRICT'S DROPOUT RATE;

(III) HOW THE ALTERNATIVE TEACHER COMPENSATION SYSTEM WILL HELP TO CLOSE THE ACHIEVEMENT GAP; AND

(IV) HOW THE ALTERNATIVE TEACHER COMPENSATION SYSTEM WILL HELP TO INCREASE STUDENTS' ATTAINMENT OF POSTSECONDARY DEGREES AND CERTIFICATES.

(5) THE DEPARTMENT SHALL MAKE AVAILABLE TO EACH SCHOOL DISTRICT THAT RECEIVES A GRANT PURSUANT TO THE GRANT PROGRAM THE RESEARCH AND OTHER MATERIALS CONCERNING ALTERNATIVE TEACHER COMPENSATION PLANS COLLECTED BY THE P-20 COUNCIL.

(6) EACH SCHOOL DISTRICT THAT RECEIVES A GRANT SHALL SUBMIT A COPY OF ITS FINAL ALTERNATIVE TEACHER COMPENSATION PLAN TO THE DEPARTMENT, ALONG WITH A SUMMARY OF THE KEY COMPONENTS OF THE PLAN AND THE MECHANISM FOR FUNDING THE PLAN.

(7) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO REQUIRE A SCHOOL DISTRICT TO PARTICIPATE IN THE GRANT PROGRAM OR TO MODIFY THE TERMS OF AN EXISTING TEACHER COMPENSATION PLAN OR CONTRACT.

22-69-105. Alternative teacher compensation plan grant program - rules - awarding grants. (1) THE STATE BOARD SHALL PROMULGATE RULES IN ACCORDANCE WITH THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, C.R.S., FOR IMPLEMENTATION OF THE GRANT PROGRAM. AT A MINIMUM, THE RULES SHALL SPECIFY THE PROCEDURES AND TIME FRAMES FOR APPLYING FOR THE GRANT, THE FORM OF THE GRANT APPLICATION, THE INFORMATION TO BE PROVIDED BY THE SCHOOL DISTRICT APPLICANT, AND ANY ADDITIONAL CRITERIA FOR AWARDING GRANTS.

(2) THE DEPARTMENT SHALL REVIEW EACH GRANT APPLICATION RECEIVED FROM A SCHOOL DISTRICT PURSUANT TO SECTION 22-69-104 AND SHALL MAKE RECOMMENDATIONS TO THE STATE BOARD CONCERNING WHETHER A GRANT SHOULD BE AWARDED TO A SCHOOL DISTRICT AND THE AMOUNT OF THE GRANT TO BE AWARDED. IF THE DEPARTMENT DETERMINES THAT AN APPLICATION IS MISSING ANY INFORMATION REQUIRED BY RULE OF THE STATE BOARD TO BE INCLUDED WITH THE APPLICATION, THE DEPARTMENT MAY CONTACT THE SCHOOL DISTRICT TO OBTAIN THE MISSING INFORMATION.

(3) SUBJECT TO AVAILABLE APPROPRIATIONS, BEGINNING IN THE 2008-09 FISCAL YEAR, THE STATE BOARD SHALL ANNUALLY AWARD GRANTS UNDER THE GRANT PROGRAM TO APPLYING SCHOOL DISTRICTS, TAKING INTO ACCOUNT THE DEPARTMENT'S RECOMMENDATIONS.

(4) THE DEPARTMENT IS AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, AND DONATIONS FROM PRIVATE AND PUBLIC SOURCES FOR THE IMPLEMENTATION OF THE GRANT PROGRAM PURSUANT TO THIS ARTICLE.

(5) THE DEPARTMENT MAY ANNUALLY EXPEND NO MORE THAN TWO PERCENT OF THE MONEYS ANNUALLY APPROPRIATED FOR THE GRANT PROGRAM TO OFFSET THE DIRECT AND INDIRECT COSTS INCURRED IN

IMPLEMENTING THE GRANT PROGRAM PURSUANT TO THIS ARTICLE.

22-69-106. Alternative teacher compensation plan grant program - report. (1) ON OR BEFORE JANUARY 15, 2010, AND ON OR BEFORE JANUARY 15 EACH YEAR THEREAFTER, SO LONG AS GRANT MONEYS WERE AWARDED TO AT LEAST ONE SCHOOL DISTRICT PURSUANT TO THE GRANT PROGRAM DURING THE PRECEDING CALENDAR YEAR, THE DEPARTMENT SHALL REPORT TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, AND TO THE GOVERNOR THE FOLLOWING INFORMATION FROM THE PRECEDING CALENDAR YEAR:

(a) A GENERAL DESCRIPTION OF HOW THE GRANT PROGRAM WAS IMPLEMENTED, INCLUDING THE CRITERIA USED TO AWARD THE GRANTS TO SCHOOL DISTRICTS;

(b) THE NUMBER OF GRANTS AWARDED, THE NAME OF EACH SCHOOL DISTRICT RECEIVING A GRANT, AND THE AMOUNT OF EACH GRANT AWARDED;

(c) A SUMMARY OF THE GOALS OF EACH SCHOOL DISTRICT AWARDED A GRANT WITH RESPECT TO THE DESIGN AND DEVELOPMENT OF ITS ALTERNATIVE TEACHER COMPENSATION PLAN; AND

(d) A SUMMARY OF THE KEY COMPONENTS OF EACH FINAL ALTERNATIVE TEACHER COMPENSATION PLAN SUBMITTED TO THE DEPARTMENT PURSUANT TO SECTION 22-69-104 (6).

(2) EACH SCHOOL DISTRICT PARTICIPATING IN THE GRANT PROGRAM SHALL PROVIDE ANY DATA OR OTHER INFORMATION REQUESTED BY THE DEPARTMENT FOR THE PURPOSE OF MEETING THE REPORTING REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION."

Page 58, strike line 26 and substitute the following:

"sum of thirty-four million five hundred thousand dollars (\$34,500,000)".

Page 61, after line 9, insert the following:

"(13) In addition to any other appropriation, for the fiscal year beginning July 1, 2008, there is hereby appropriated, out of any moneys in the state education fund created in section 17 (4) of article IX of the state constitution not otherwise appropriated, to the department of education, for the alternative teacher compensation plan grant program created in article 69 of title 22, Colorado Revised Statutes, the sum of two million dollars (\$2,000,000), or so much thereof as may be necessary, for the implementation of the alternative teacher compensation plan grant program."

Renumber succeeding subsections accordingly.

Page 63, strike lines 6 through 11;

line 15, strike "section 11" and substitute "section 12";

line 18, strike "Section 24" and substitute "Section 26";

line 21, strike "Section 25" and substitute "Section 27";

line 24, strike "Section 31" and substitute "Section 32".

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

Amend rerevised bill, page 6, line 21, strike "AND KINDERGARTEN".

Page 7, line 26, strike "IS";

line 27, strike "RECEIVING" and substitute "RECEIVED".

Page 12, strike line 12 and substitute the following:

"AMENDED IN HOUSE BILL 08-1388, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-SIXTH GENERAL ASSEMBLY."

Page 13, after line 10, insert the following:

"SECTION 9. 22-54-112, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

22-54-112. Reports to the state board. (4) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (4), EVERY SCHOOL OF A DISTRICT, CHARTER SCHOOL OF A DISTRICT, AND INSTITUTE CHARTER SCHOOL SHALL INCLUDE IN THE MATERIALS FOR PUPIL REGISTRATION THE PUPIL APPLICATION FORM TO PARTICIPATE UNDER THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ., REFERRED TO IN THIS SUBSECTION (4) AS THE "PUPIL APPLICATION FORM". THE REGISTRATION MATERIALS SHALL INCLUDE AN EXPLANATION TO PARENTS THAT THE PUPIL APPLICATION FORM WILL BE USED BY THE SCHOOL OF THE DISTRICT, DISTRICT CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL TO DETERMINE WHETHER THE SCHOOL OF THE DISTRICT, DISTRICT CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL IS ELIGIBLE FOR AT-RISK FUNDING ON BEHALF OF THE PUPIL AND THAT, BY FILLING OUT THE FORM, THE PARENT IS ENSURING THAT THE SCHOOL DISTRICT OR SCHOOL WILL RECEIVE THE AT-RISK FUNDING TO WHICH IT IS ENTITLED BASED ON THE POPULATION OF AT-RISK PUPILS SERVED BY THE SCHOOL DISTRICT OR SCHOOL.

(b) IF ONE OR MORE SCHOOLS OF A SCHOOL DISTRICT OR IF A DISTRICT CHARTER SCHOOL OR AN INSTITUTE CHARTER SCHOOL DOES NOT PARTICIPATE IN THE FEDERAL CHILD NUTRITION PROGRAMS UNDER THE FEDERAL "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ., OR THE FEDERAL "CHILD NUTRITION ACT OF 1966", 42 U.S.C. SEC. 1771 ET SEQ., THE SCHOOL DISTRICT, THE DISTRICT CHARTER SCHOOL, OR THE INSTITUTE CHARTER SCHOOL SHALL USE THE FAMILY ECONOMIC DATA SURVEY FORM CREATED BY THE DEPARTMENT OF EDUCATION TO IDENTIFY THOSE PUPILS WHO QUALIFY AS AT-RISK PUPILS IN LIEU OF THE PUPIL APPLICATION FORM.

(c) IN CERTIFYING THE PUPIL ENROLLMENT PURSUANT TO SUBSECTION (2) OF THIS SECTION, THE SECRETARY OF THE BOARD OF EDUCATION OF EACH DISTRICT AND THE SECRETARY OF THE STATE CHARTER SCHOOL INSTITUTE BOARD SHALL SPECIFY AS AT-RISK PUPILS THOSE PUPILS IDENTIFIED THROUGH USE OF THE PUPIL APPLICATION FORM AND THE FAMILY ECONOMIC DATA SURVEY FORM."

Renumber succeeding sections accordingly.

Page 18, line 20, strike "AND KINDERGARTEN";

line 23, strike "AND KINDERGARTEN".

Page 19, line 6, strike "AND";

line 7, strike "KINDERGARTEN";

line 26, strike "AND";

line 27, strike "KINDERGARTEN".

Page 20, line 4, strike "AND";

line 5, strike "KINDERGARTEN";

line 24, strike "AND KINDERGARTEN", and after "THEY", insert "MAY".

Page 25, line 13, strike "SENATE" and substitute "SENATE, OR ANY

SUCCESSOR COMMITTEES,";

line 18, strike "**facility**".

Page 32, line 10, after "audited", insert "OPERATING";

line 11, after "audited", insert "OPERATING".

Page 33, line 10, strike "**and**";

line 11, strike "**kindergarten**";

line 14, strike "and kindergarten" and substitute "~~and kindergarten~~";

line 19, strike "and kindergarten" and substitute "~~and kindergarten~~";

line 21, strike "and kindergarten" and substitute "~~and kindergarten~~".

Page 34, line 1, strike "and kindergarten" and substitute "~~and kindergarten~~";

line 3, strike "and kindergarten" and substitute "~~and kindergarten~~";

line 7, strike "AND KINDERGARTEN".

line 14, strike "**and kindergarten**";

line 17, strike "and kindergarten" and substitute "~~and kindergarten~~";

line 20, strike "and kindergarten" and substitute "~~and kindergarten~~";

line 23, strike "and kindergarten" and substitute "~~and kindergarten~~".

Page 35, line 1, strike "AND KINDERGARTEN".

Page 47, line 20, strike "**and kindergarten**".

Page 48, line 23, strike "AND KINDERGARTEN".

Page 57, after line 15, insert the following:

"SECTION 36. 22-28-102 (1), Colorado Revised Statutes, is amended to read:

22-28-102. Legislative declaration. (1) The general assembly hereby finds, determines, and declares that there are substantial numbers of children in this state entering kindergarten and the primary grades who are not adequately prepared to learn. The general assembly further finds that early school failure may ultimately contribute to such children dropping out of school at an early age, failing to achieve their full potential, becoming dependent upon public assistance, or becoming involved in criminal activities. By enacting this article, the general assembly acknowledges the need to adequately prepare all children to learn through preschool ~~and full-day kindergarten~~ programs in school districts with high dropout rates or low performance of children in kindergarten and primary grades. In establishing the programs, the general assembly encourages school districts and parents to work together to ensure that the children benefit from the programs.

SECTION 37. 22-28-103 (5) and (9), Colorado Revised Statutes, are amended, and the said 22-28-103 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

22-28-103. Definitions. As used in this article, unless the context otherwise requires:

 (2.5) "COLORADO PRESCHOOL PROGRAM" MEANS ALL THE DISTRICT PRESCHOOL PROGRAMS ESTABLISHED IN THE STATE PURSUANT TO THE PROVISIONS OF THIS ARTICLE.

(5) "District preschool ~~and kindergarten~~ program" means a preschool ~~and full-day kindergarten~~ program established by a school district pursuant to the provisions of section 22-28-107.

(9) "~~State preschool and kindergarten program~~" means ~~all the district preschool and full-day kindergarten programs established within this state pursuant to the provisions of this article.~~

SECTION 38. The introductory portion to 22-28-104 (1) and 22-28-104 (2) (a) (I), (2) (a) (II), (3), (4) (a), and (5) (b), Colorado Revised Statutes, are amended to read:

22-28-104. Establishment of public preschool programs. (1) There is hereby established a state preschool ~~and kindergarten~~ program, which shall be implemented in school districts beginning in the 2006-07 budget year. The purposes of the program are:

(2) (a) (I) ~~For the 2006-07 budget year, fourteen thousand three hundred sixty children may annually participate in the state preschool and kindergarten program.~~

(II) ~~For the 2007-08 budget year, sixteen thousand three hundred sixty children may annually participate in the state preschool and kindergarten program.~~

(3) A school district that participates in the state preschool ~~and kindergarten~~ program shall be entitled to count children enrolled in the district preschool ~~and kindergarten~~ program in accordance with the provisions of section 22-54-103 (9.5) for purposes of determining preschool ~~and kindergarten~~ program enrollment under the "Public School Finance Act of 1994", article 54 of this title.

(4) (a) Subject to the limitations in paragraph (b) of this subsection (4), the per pupil operating reimbursement provided to any school district that participates in the ~~preschool portion of the state preschool and kindergarten~~ program shall be increased to allow a single child to enroll in the ~~preschool portion of the~~ program using two positions so that the child may attend a full day of preschool.

(5) Nothing in this article shall be construed to:

(b) Prohibit school districts from establishing and maintaining other preschool ~~or kindergarten~~ programs using any funds available for that purpose, but children enrolled in such other preschool ~~or kindergarten~~ programs shall not be counted for purposes of determining preschool ~~and kindergarten~~ program enrollment or pupil enrollment under the "Public School Finance Act of 1994", article 54 of this title.

SECTION 39. 22-28-105 (1) (d), Colorado Revised Statutes, is amended to read:

22-28-105. District preschool program advisory council - duties. (1) (d) The board of education shall have final responsibility for submittal of the application to participate in the ~~state COLORADO preschool and kindergarten~~ program and for operation and maintenance of the preschool ~~and kindergarten~~ program within the school district. No action taken by the district advisory council shall be final until approved by the board of education.

SECTION 40. The introductory portions to 22-28-107 (1) and (1) (d), 22-28-107 (1) (d) (III), and the introductory portion to 22-28-107 (4) (b), Colorado Revised Statutes, are amended to read:

22-28-107. Eligibility of school districts for participation in Colorado preschool program. (1) By a date to be determined by rule of the state board for the 2006-07 budget year and each budget year thereafter, any school district may apply to the department for participation in the ~~state COLORADO preschool and kindergarten~~ program using forms provided by the department. Along with the application, the

school district shall submit a proposal for the implementation of its district preschool ~~and kindergarten~~ program, which shall include, but need not be limited to, the following information requested by the department:

(d) If the district preschool ~~and kindergarten~~ program is to be provided by the school district:

(III) The training program for preschool ~~and kindergarten~~ teachers;

(4) (b) The department shall annually select a reasonable number of school districts that have implemented preschool ~~and kindergarten~~ programs pursuant to this article and shall conduct on-site visits to determine whether:

SECTION 41. 22-28-108 (1) (a), the introductory portion to 22-28-108 (1) (b), and 22-28-108 (1) (b) (II), Colorado Revised Statutes, are amended to read:

22-28-108. Criteria for district preschool programs. (1) (a) The department shall establish basic program standards for district preschool ~~and kindergarten~~ programs using nationally accepted standards for preschool programs and requiring compliance with the Colorado rules for child care centers promulgated by the department of human services pursuant to section 26-6-106, C.R.S. ~~except that a full-day kindergarten component of a district preschool and kindergarten program need not be in compliance with such rules.~~

(b) The state board shall establish, by rule, criteria for school districts to use in establishing district preschool ~~and kindergarten~~ programs, subject to the following requirements:

(II) The maximum number of pupils in a preschool class shall not exceed sixteen. ~~and the maximum number of pupils in a full-day kindergarten class shall not exceed twenty.~~

SECTION 42. The introductory portion to 22-28-109 (1) and 22-28-109 (1) (a) and (3), Colorado Revised Statutes, are amended to read:

22-28-109. District preschool programs provided by a head start agency or child care agencies. (1) The state recognizes that there is significant value in using existing and established infrastructure through a head start agency or child care agencies, where available, for the provision of a district preschool ~~and kindergarten~~ program. Before the board of education of any school district whose pupil enrollment was less than or equal to seven hundred fifty pupils for the preceding budget year expends money for capital projects to provide additional facilities for a district preschool ~~and kindergarten~~ program, the board shall consider whether the district preschool ~~and kindergarten~~ program may be contracted out, in whole or in part, to a head start agency or one or more child care agencies located in the school district. The board of any school district, regardless of pupil enrollment, may contract out the district preschool ~~and kindergarten~~ program only if the provisions of this section are satisfied. In making its determination on whether to contract out the district preschool ~~and kindergarten~~ program, the board shall consider the recommendation of the district advisory council along with the following:

(a) Whether there is an established preschool program being provided by the school district or by a head start agency or one or more child care agencies that could be expanded or modified to include the district preschool ~~and kindergarten~~ program;

(3) If the district preschool ~~and kindergarten~~ program is contracted out pursuant to the provisions of subsection (1) of this section, the board of education and the head start agency or child care agencies shall develop a plan for the transition of children from the preschool portion of the program to kindergarten. ~~or to the kindergarten portion of the~~

~~program, whichever is applicable, and from the kindergarten portion of the program to first grade.~~

SECTION 43. Article 28 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

22-28-114. Change of program name - direction to revisor - authorization. (1) THE REVISOR OF STATUTES IS AUTHORIZED TO CHANGE ALL REFERENCES TO THE COLORADO PRESCHOOL AND KINDERGARTEN PROGRAM AND TO THE STATE PRESCHOOL AND KINDERGARTEN PROGRAM THAT APPEAR IN THE COLORADO REVISED STATUTES TO THE COLORADO PRESCHOOL PROGRAM.

(2) THE REVISOR OF STATUTES IS AUTHORIZED TO CHANGE ALL REFERENCES TO THE DISTRICT OR DISTRICT'S PRESCHOOL AND KINDERGARTEN PROGRAM THAT APPEAR IN THE COLORADO REVISED STATUTES TO THE DISTRICT OR DISTRICT'S PRESCHOOL PROGRAM.

SECTION 44. 22-54-103 (9.5), Colorado Revised Statutes, is amended to read:

22-54-103. Definitions - repeal. As used in this article, unless the context otherwise requires:

(9.5) (a) (I) "Preschool ~~and kindergarten~~ program enrollment" means the number of pupils enrolled in a district preschool ~~and kindergarten~~ program pursuant to article 28 of this title on October 1 within the applicable budget year or the school date nearest said date. A pupil enrolled in a district preschool ~~and kindergarten~~ program pursuant to article 28 of this title shall be counted as a half-day pupil.

(II) Notwithstanding the provisions of subparagraph (I) of this paragraph (a), for budget years commencing on or after July 1, 2005, a district may choose to determine the number of pupils enrolled in the ~~preschool portion of the~~ district preschool ~~and kindergarten~~ program pursuant to article 28 of this title on November 1 within the applicable budget year or the school date nearest said date, rather than on October 1. The "preschool ~~and kindergarten~~ program enrollment" for the district shall be the number of pupils enrolled in the ~~preschool portion of the~~ district PRESCHOOL program, who shall be counted as half-day pupils.

(b) For purposes of determining preschool ~~and kindergarten~~ program enrollment for the ~~2005-06 budget year~~ 2008-09 BUDGET YEAR and each budget year thereafter, a district shall count and receive funding only for:

(I) Pupils enrolled in the ~~preschool portion of a~~ district preschool ~~and kindergarten~~ program pursuant to section 22-28-104 who are three years old as of October 1 of the applicable budget year; AND

(II) Pupils enrolled in the ~~preschool portion of a~~ district preschool ~~and kindergarten~~ program pursuant to section 22-28-104 who are at least four years old as of October 1 of the applicable budget year. ~~and~~

(III) ~~Pupils enrolled in a full-day kindergarten component of a district preschool and kindergarten program pursuant to section 22-28-104 who are five years old as of October 1 of the applicable budget year."~~

Renumber succeeding sections accordingly.

Page 57, line 27, strike "and".

Page 58, line 1, strike "kindergarten".

Page 62, line 20, strike "and kindergarten".

Respectfully submitted,

House Committee:
(signed)
Representative Pommer, Chair
Representative Merrifield
Representative Massey

Senate Committee:
(signed)
Senator Windels, Chair
Senator Tupa
Senator Penry

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB08-1329

THIS REPORT AMENDS THE
REREVISED BILL

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

Your first conference committee appointed on HB08-1329, concerning procedures for updating voter registration lists as applied to registered electors deemed inactive in connection with mail ballot elections, has met and reports that it has agreed upon the following:

1. That the House accede to the Senate amendments made to the bill, as the amendments appear in the rerevised bill.
2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Amend rerevised bill, page 4, after line 23, insert the following:

"SECTION 4. 1-5-101 (5), Colorado Revised Statutes, is amended to read:

1-5-101. Establishing precincts and polling places for partisan elections. (5) NOTWITHSTANDING SECTION 1-5-103, AND EXCEPT AS OTHERWISE REQUIRED BY FEDERAL LAW, in order to facilitate the preparation of a computerized database for use in the reapportionment REDISTRICTING process that will take place after the decennial census in ~~the year 2000~~ YEARS ENDING IN THE NUMBER ZERO, THE PRECINCT BOUNDARIES ESTABLISHED BY the county clerk and recorder of each county, subject to approval by the board of county commissioners, ~~shall establish precinct boundaries which~~ THAT ARE USED IN THE GENERAL ELECTION IN YEARS ENDING IN THE NUMBER EIGHT shall remain in effect until after the general election in ~~2000~~ YEARS ENDING IN THE NUMBER ZERO; except that the precincts so established may be subdivided within the boundaries of the original precinct ~~Such precincts shall be established no later than twenty-nine days prior to the precinct caucus day in 1998; except that, in counties affected by the reapportionment plan required by Sanchez v. State of Colorado, 97 F.3d 1303 (10th Cir. 1996), such precincts shall be established within two weeks after the federal district court approves of such reapportionment plan~~ AND ADJACENT PRECINCTS MAY BE AGGREGATED FOR PURPOSES OF DATA COLLECTION. In establishing precinct boundaries pursuant to the provisions of this subsection (5), county clerk and recorders and boards of county commissioners shall, to the extent reasonably possible, utilize natural and man-made boundaries that meet the requirements for visible features adopted by the United States bureau of the census. IF THE PRECINCT BOUNDARIES USED IN THE GENERAL ELECTION IN YEARS ENDING IN THE NUMBER EIGHT ARE CHANGED PRIOR TO THE NEXT GENERAL ELECTION IN YEARS ENDING IN THE NUMBER ZERO PURSUANT TO FEDERAL LAW, THE COUNTY CLERK AND RECORDERS SHALL TIMELY SUBMIT IN WRITING TO THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL A LIST SHOWING THE PRECINCTS FOR WHICH THE BOUNDARIES HAVE CHANGED."

Renumber succeeding sections accordingly.

Respectfully submitted,

House Committee:
(signed)
Representative Marshall, Chair
Representative Weissmann
Representative Balmer

Senate Committee:
(signed)
Senator Gordon, Chair
Senator Cadman
Senator Windels

MESSAGE FROM THE REVISOR OF STATUTES

May 5, 2008

We herewith transmit:

Without comment, as amended, SB08-233.

SENATE SERVICES REPORT

Correctly Printed: SJR08-042.
Correctly Engrossed: SB08-246; SJR08-040.
Correctly Reengrossed: SB08-098, and 227.
Correctly Revised: HB08-1318, 1350, 1378, 1384, 1386, 1387, 1389, 1394, 1399, 1400, 1404, and 1405; HJR08-1018.
Correctly Rerevised: HB08-1013, 1021, 1031, 1047, 1082, 1101, 1161, 1168, 1194, 1208, 1227, 1246, 1267, 1317, 1325, 1344, 1352, 1365, 1374, 1380, 1383, 1385, 1392, 1393, 1396, 1397, 1398, 1401, and 1403.
Correctly Enrolled: SB08-076, 100, 134, and 181.

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Tapia, Chair, Cadman, and Romer as Senate Conferees on the First Conference Committee on **HB08-1227**.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

SB08-224 by Senator(s) Harvey and Tapia; also Representative(s) McFadyen--Concerning measures to ease the regulatory burden of compliance with the "Elevator and Escalator Certification Act".

Senator Harvey moved that the Senate Conferees on the First Conference Committee on **SB08-224** be granted permission to go beyond the scope of the differences between the two Houses.

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

SB08-212 by Senator(s) Romer and Penry, Boyd, Gibbs, Keller, Mitchell S., Morse, Schwartz, Veiga, Bacon, Gordon, Groff, Tapia, Tochtrop, Williams, Windels; also Representative(s) Witwer and Scanlan, Benefield, Casso, Hodge, Jahn, Kerr A., Marostica, Massey, May M., McFadyen, McNulty, Middleton, Mitchell V., Rice, Summers, Todd--Concerning alignment of preschool to postsecondary education, and making an appropriation in connection therewith.

Senator Romer moved that the Senate Conferees on the First Conference Committee on **SB08-212** be granted permission to go beyond the scope of the differences between the two Houses.

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

COMMITTEE OF REFERENCE REPORTS

- Education

After consideration on the merits, the Committee recommends that **HJR08-1027** be postponed indefinitely.
- Education

After consideration on the merits, the Committee recommends that **HB08-1357** be postponed indefinitely.

Committee of the Whole reconvened.

GENERAL ORDERS -- SECOND READING OF BILLS -- cont.

- HB08-1414

by Representative(s) Buescher; also Senator(s) Penry--Concerning an increase in the regulation of the disposal of exploration and production wastes from oil and gas operations at commercial solid waste facilities pursuant to rules promulgated by the solid and hazardous waste commission.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, May 1, pages 1315-1316 and placed in members' bill files.)

Amendment No. 2(L.004), by Senator Penry.

Amend reengrossed bill, page 4, after line 24, insert the following:

"(d) THE DEPARTMENT SHALL:

(I) COORDINATE WITH THE COLORADO OIL AND GAS CONSERVATION COMMISSION CREATED IN SECTION 34-60-104, C.R.S., GOVERNING BODIES HAVING JURISDICTION, AND THE FEDERAL BUREAU OF LAND MANAGEMENT TO IDENTIFY POTENTIAL EP WASTE DISPOSAL SITES THAT ARE LOCATED REASONABLY CLOSE TO OIL AND GAS OPERATION AREAS ON EITHER FEDERAL OR NONFEDERAL LAND AND THAT MEET THE SET-BACK REQUIREMENTS OF THIS SUBSECTION (1.5); AND

(II) TO THE EXTENT PRACTICABLE, ENCOURAGE GOVERNING BODIES HAVING JURISDICTION AND THE FEDERAL BUREAU OF LAND MANAGEMENT TO APPROVE THE SITING OF EP WASTE DISPOSAL SITES AT LOCATIONS IDENTIFIED PURSUANT TO THIS PARAGRAPH (d) WHEN SO REQUESTED BY A COMMERCIAL OPERATOR."

As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.
(For further action, see Amendments to the Report of the Committee of the Whole.)
- HB08-1415

by Representative(s) Massey and Jahn, Looper, Todd, Kerr A., McGihon, Labuda, Frangas; also Senator(s) Gibbs and Spence--Concerning the designation of a portion of the limited gaming fund revenues that would otherwise be transferred to the film incentives cash fund to the Colorado office of economic development to be used for the operational expenses of the Colorado film commission, and making an appropriation in connection therewith.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 2, page 1339 and placed in members' bill files.)

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

- HB08-1382** by Representative(s) Carroll T.; also Senator(s) Shaffer--Concerning criminal procedural matters that affect convicted persons, and making an appropriation in connection therewith. 1
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- Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, May 1, pages 1310-1313 and placed in members' bill files.) 4
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- As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 7
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- HB08-1402** by Representative(s) Gagliardi and Ferrandino, Benefield, Borodkin, Butcher, Carroll M., 10
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- Casso, Fischer, Gallegos, Green, Kerr A., McGihon, Merrifield, Middleton, Peniston, Pommer, Primavera, Solano, Soper, Todd; also Senator(s) Bacon, Boyd, Groff, Morse, Tapia, Tochtrop--Concerning additional protections for homeowners facing foreclosure, and making an appropriation therefor. 10
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- Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, May 1, pages 1309-1310 and placed in members' bill files.) 16
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- Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 2, page 1340 and placed in members' bill files.) 19
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- As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 22
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- HB08-1395** by Representative(s) Marostica, Carroll T., Ferrandino, Gardner B., Gardner C., Hodge, 25
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- Kerr J., King, Looper, Lundberg, Marshall, Massey, May M., McFadyen, McNulty, Mitchell V., Riesberg, Roberts, Rose, Sonnenberg, Stephens, Summers, Swalm, Vaad, White, Witwer; also Senator(s) Windels, Bacon, Penry--Concerning a property tax exemption for certain property leased by governmental entities that use the property for governmental purposes. 25
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- Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 1, page 1314 and placed in members' bill files.) 32
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- As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 35
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- HB08-1407** by Representative(s) Romanoff; also Senator(s) Gordon--Concerning strengthening penalties for the unreasonable conduct of an insurance carrier. 38
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- Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 2, page 1309 and placed in members' bill files.) 41
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- Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 2, page 1339 and placed in members' bill files.) 44
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- As amended, ordered revised and placed on the calendar for Third Reading and Final Passage. 47
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- HB08-1412** by Representative(s) Labuda, Gardner B., Levy, McGihon, Roberts; also Senator(s) Brophy, 50
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- Veiga--Concerning the revision of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, inconsistent, and conflicting provisions of law and clarifying the language to reflect the legislative intent of the laws. 50
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- Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, May 2, pages 1340-1341 and placed in members' bill files.) 55
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- Amendment No. 2(L.008), by Senator Brophy. 58
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- Amend the Judiciary Committee Report, dated May 2, 2008, page 2, strike line 19 and substitute the following: 60
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- "amounts. 63
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- SECTION 144.** 42-2-305, Colorado Revised Statutes, is amended to read: 65
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- 42-2-305. Lost, stolen, or destroyed cards.** If an identification card is lost, destroyed, or mutilated or a new name is acquired, the 68
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registrant may obtain a new identification card upon furnishing satisfactory proof of such fact to the department. Any registrant who loses an identification card and who, after obtaining a new identification card, finds the original card shall immediately surrender the original card to the department. The same documentary evidence shall be furnished for a new identification card as for an original identification card. A new identification card issued pursuant to this section shall expire on the birthday of the registrant in the ~~tenth~~ FIFTH year after the issuance of the new identification card; except that, if the registrant is under the age of twenty-one years at the time the application for the new identification card is made, the new identification card shall expire on the registrant's twenty-first birthday."."

Page 3, line 8, strike ""144"." and substitute ""145".".

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

HB08-1391 by Representative(s) Romanoff and Buescher, McGihon, Stafford, Benefield, Carroll T., Fischer, Frangas, Kefalas, Kerr J., Marostica, Massey, Primavera, Rice, Riesberg, Roberts, Scanlan, Stephens, White; also Senator(s) Keller and Morse, Boyd--Concerning the creation of a pilot program to provide mental health services for children who have been involved in a substantiated case of child abuse or neglect, and making an appropriation therefor.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 2, page 1349 and placed in members' bill files.)

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

HB08-1032 by Representative(s) Massey, Green, Riesberg; also Senator(s) Morse, Boyd--Concerning a change in payments to pharmacies for certain drugs under medicaid.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 30, pages 1265-1266 and placed in members' bill files.)

Amendment No. 2(L.013), by Senator Morse.

Amend reengrossed bill, page 3, line 18, after "109-171," insert "TO THE EXTENT POSSIBLE".

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

HB08-1406 by Representative(s) Madden; also Senator(s) Gordon--Concerning the circulation of initiative and referendum petitions.

Amendment No. 1(L.013), by Senator Cadman.

Amend reengrossed bill, page 5, line 16, strike "AN ACCURATE DESCRIPTION" and substitute "THE TEXT".

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB08-1410 by Representative(s) Kerr A., Frangas, Borodkin, Butcher, Casso, Ferrandino, Fischer, Gallegos, Green, Hodge, Kefalas, Labuda, Madden, Marshall, McFadyen, McGihon, Middleton, Peniston, Primavera, Scanlan, Soper, Todd; also Senator(s) Tochtrop--Concerning a requirement that health insurance plans include coverage for colorectal cancer prevention services, and, in connection therewith, exempting certain small group basic health plans.

Senator Johnson moved to amend the Report of the Committee of the Whole to show that HB 08-1410, as amended, was referred to the State, Veterans, and Military Affairs Committee, and the Committee shall request that the commission on mandated health insurance benefits prepare and forward to such committee a study that assesses the social

and financial impact of the mandate proposed by the bill pursuant to section 10-16-103.3 (6), Colorado Revised Statutes.

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the Report of the Committee of the Whole was declared PASSED on the following roll call vote:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	N
Boyd	N	Keller	N	Sandoval	N	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	N
Cadman	Y	Kopp	Y	Schwartz	N	Ward	Y
Gibbs	N	McElhany	Y	Shaffer	N	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	N	Morse	Y	Takis	N	Windels	Y
Harvey	Y	Penry	Y	Tapia	N	President	Y
Isgar	N	Renfroe	Y	Taylor	Y		

HB08-1411 by Representative(s) Marshall, Stafford, Frangas, Massey, Borodkin, Carroll T., Liston, Madden, Primavera, Stephens; also Senator(s) Sandoval--Concerning the prohibition of incentives to limit the provision of medically appropriate health care services to a covered person.

Senator Romer moved to amend the Report of the Committee of the Whole to show that HB 08-1411, as amended, was referred to the Appropriations Committee.

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the Report of the Committee of the Whole was declared PASSED on the following roll call vote:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bacon	N	Johnson	Y	Romer	Y	Tochtrop	N
Boyd	Y	Keller	N	Sandoval	N	Tupa	N
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	N	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	N
Hagedorn	N	Morse	Y	Takis	N	Windels	Y
Harvey	Y	Penry	Y	Tapia	N	President	N
Isgar	Y	Renfroe	Y	Taylor	Y		

HB08-1414 by Representative(s) Buescher; also Senator(s) Penry--Concerning an increase in the regulation of the disposal of exploration and production wastes from oil and gas operations at commercial solid waste facilities pursuant to rules promulgated by the solid and hazardous waste commission.

Senator Taylor moved to amend the Report of the Committee of the Whole to show that the following Taylor floor amendment, (L.007) to HB 08-1414, did pass.

Amend reengrossed bill, page 3, line 16, strike "FABRICATED" and substitute "IMPOUNDMENT".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the Report of the Committee of the Whole was declared LOST on the following roll call vote:

YES	12	NO	23	EXCUSED	0	ABSENT	0
Bacon	N	Johnson	Y	Romer	N	Tochtrop	N
Boyd	N	Keller	N	Sandoval	N	Tupa	N
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	N
Cadman	Y	Kopp	N	Schwartz	N	Ward	N
Gibbs	N	McElhany	N	Shaffer	N	Wiens	Y
Gordon	N	Mitchell S.	Y	Spence	Y	Williams	N
Hagedorn	N	Morse	N	Takis	N	Windels	N
Harvey	Y	Penry	N	Tapia	N	President	N
Isgar	Y	Renfroe	Y	Taylor	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Windels, the Report of the Committee of the Whole was adopted on the following roll call vote:

The Committee of the Whole took the following action:

Passed on Second Reading: HCR08-1009, HCR08-1008, HB08-1356 as amended, HB08-1414 as amended, HB08-1415 as amended, HB08-1382 as amended, HB08-1402 as amended, HB08-1395 as amended, HB08-1407 as amended, HB08-1412 as amended, HB08-1391 as amended, HB08-1032 as amended, HB08-1406 as amended.

Referred to the Committee on State, Veterans & Military Affairs: HB08-1410 as amended.

Referred to the Committee on Appropriations: HB08-1411 as amended.

MESSAGE FROM THE HOUSE

May 5, 2008
Mr. President:

The House has voted to concur in the Senate amendments to HB08-1344, 1325 and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB08-1398 and requests that a conference committee be appointed. The Speaker has appointed Representatives Buescher, chairman, Pommer, and White as House conferees on the First Conference Committee on HB08-1398. The bill is transmitted herewith.

May 5, 2008
Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB08-226, amended as printed in House Journal, May 2, pages 1872-1876, and amended on Third Reading as printed in House Journal, May 5.

The House has adopted and transmits herewith HJR08-1042, and amended as printed in House Journal, May 2, page 1868, and on Third Reading as printed in House Journal, May 5.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB08-188, and 196.

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Johnson, Chair, Morse, and Keller as Senate Conferees on the First Conference Committee on **HB08-1398**.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Appropriations After consideration on the merits, the Committee recommends that **HB08-1123** be postponed indefinitely.

MESSAGE FROM THE REVISOR OF STATUTES

May 5, 2008

We herewith transmit:

Without comment, as amended, SB08-226.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

HJR08-1042 by Representative(s) Buescher, Pommer, White; also Senator(s) Johnson, Keller, Morse-- Concerning the prioritized list of projects for which the state treasurer is authorized to enter into lease-purchase agreements.

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

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB08-1388 by Representative(s) Pommer; also Senator(s) Windels--Concerning the financing of public schools, and making an appropriation therefor.

Senator Windels moved for the adoption of the First Report of the First Conference Committee on **HB08-1388**, as printed in Senate Journal, May 5, pages 1374-1386. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	26	NO	9	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	Y	Schwartz	Y	Ward	N
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	N	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	Y		

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

HB08-1329 by Representative(s) Marshall; also Senator(s) Gordon--Concerning procedures for updating voter registration lists as applied to registered electors deemed inactive in connection with mail ballot elections.

Senator Gordon moved for the adoption of the First Report of the First Conference Committee on **HB08-1329**, as printed in Senate Journal, May 5, pages 1386-1387. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	N	Romer	Y	Tochtrop	N
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	N	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	N
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	N	Spence	N	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	N	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	N		

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

RECONSIDERATION OF HB08-1388

HB08-1388 by Representative(s) Pommer; also Senator(s) Windels--Concerning the financing of public schools, and making an appropriation therefor.

Having voted on the prevailing side, Senator Cadman moved for reconsideration of the last Senate action, Repassage of **HB08-1388**. The roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

REPASSAGE OF HB08-1388

Senator Windels moved that the question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	N	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	N	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	N
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	N	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	N	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	N		

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

Co-sponsors added: Boyd, Morse, Tupa and Williams.

On motion of Senator Gordon, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB08-1408, HB08-1216 as amended, HB08-1409 were made Special Orders at 4:35 p.m.

Committee of the Whole The hour of 4:35 p.m. having arrived, Senator Windels moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Windels was called to the Chair to act as Chairman.

SPECIAL ORDERS -- SECOND READING OF BILLS

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

HB08-1408 by Representative(s) Levy, Merrifield; also Senator(s) Veiga--Concerning the implementation of additional requirements on a corporate income taxpayer to verify the validity of transactions related to real estate investment trusts.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 5, pages 1366-1367 and placed in members' bill files.)

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

HB08-1216 by Representative(s) Ferrandino; also Senator(s) Romer--Concerning the creation of the consumer outreach and education program within the department of regulatory agencies, and making an appropriation therefor.

(Amended in General Orders as printed in Senate Journal, May 1, pages 1298-1299.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, pages 1363-1364 and placed in members' bill files.)

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

HB08-1409 by Representative(s) Pommer; also Senator(s) Johnson--Concerning recovery of payments under medicaid, and making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page 1364 and placed in members' bill files.)

Amendment No. 2(L.007), by Senator Johnson.

Amend reengrossed bill, page 7, line 22, strike "(1)";
strike lines 26 and 27.

Page 8, strike lines 1 through 5.

Amendment No. 3(L.008), by Senator Johnson.

Amend reengrossed bill, page 6, line 6, strike "INTENTIONALLY", insert "NEGLIGENTLY".

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Windels, the Report of the Committee of the Whole was adopted on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

The Committee of the Whole took the following action:

Passed on Second Reading: HB08-1408 as amended, HB08-1216 as amended, HB08-1409 as amended.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Consideration of House Amendments to Senate Bills -- SB08-226.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB08-226 by Senator(s) Isgar; also Representative(s) Butcher and McFadyen, Fischer, King-- Concerning the prohibition of aquatic nuisance species in Colorado, and making an appropriation in connection therewith.

Senator Isgar moved that the Senate not concur in House amendments to SB08-226, as printed in House Journal, May 5, and that a Conference Committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was adopted on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Isgar, Chair, Schwartz, and Penry as Senate Conferees on the First Conference Committee on SB08-226.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions -- SJR08-022.

CONSIDERATION OF RESOLUTIONS

SJR08-022 by Senator(s) Cadman, Penry; also Representative(s) McKinley--Concerning new rules and regulations currently being drafted by the Colorado Oil and Gas Conservation Commission.

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

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB08-1398 by Representative(s) Buescher, Pommer, White; also Senator(s) Johnson, Keller, Morse-- Concerning the operational account of the severance tax trust fund without making any appropriations therefrom, and, in connection therewith, changing the reserve requirement, requiring most transfers from the account to be made in three installments during a fiscal year, making the second and third transfers subject to proportional reduction if there are insufficient funds in the account to meet the reserve requirement at the end of the fiscal year, removing obsolete provisions of law, and reducing an appropriation in the long bill as a result of such transfers.

Senator Johnson moved that the Senate Conferees on the First Conference Committee on **HB08-1398** be granted permission to go beyond the scope of the differences between the two Houses.

Less than a majority of all members elected to the Senate having voted in the affirmative, the motion was declared **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	N	Tochtrop	N
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	N	Ward	N
Gibbs	N	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	N	Spence	N	Williams	N
Hagedorn	N	Morse	Y	Takis	N	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	N	Renfroe	N	Taylor	N		

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB08-1240

THIS REPORT AMENDS THE
REREVISED BILL

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

Your first conference committee appointed on HB08-1240, concerning continuation of the regulation of debt collection, and, in connection therewith, repealing the collection agency board, has met and reports that it has agreed upon the following:

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

Amend rerevised bill, page 7, strike lines 8 through 11 and substitute the following:

"(b) (I) (A) Maintain, at all times, an office within this state ~~which~~ THAT is open to the public during normal business hours, ~~and which~~ is staffed by at least one full-time employee, ~~said office to keep~~ AND KEEPS a record of all moneys collected and remitted by ~~such~~ THE agency for residents of Colorado.

(B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JULY 1, 2010. THE DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE REQUIREMENTS OF THIS SUBPARAGRAPH (I) AND SHALL MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY BY OCTOBER 1 2009, PURSUANT TO SECTION 24-34-104, C.R.S.

(II) MAINTAIN, AT ALL TIMES, A".

Respectfully submitted,

House Committee:	Senate Committee:
(signed)	(signed)
Representative Butcher, Chair	Senator Sandoval, Chair
Representative M. Carroll	Senator Kopp
Representative Stephens	Senator Takis

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
 ON SB08-224

 THIS REPORT AMENDS THE
 REREVISED BILL

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

Your first conference committee appointed on SB08-224, concerning measures to ease the regulatory burden of compliance with the "Elevator and Escalator Certification Act", has met and reports that it has agreed upon the following:

1. That the Senate accede to the House amendments made to the bill, as the amendments appear in the rerevised bill.
2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendment be recommended:

Amend rerevised bill, page 3, strike lines 14 through 17 and substitute the following:

"(3) (a) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), THE ADMINISTRATOR SHALL PROMULGATE RULES EXEMPTING A CONVEYANCE INSTALLED BEFORE JULY 1, 2008, FROM COMPLIANCE WITH ASME A17.3 UNTIL APPROVAL IS REQUIRED BY SECTION 9-5.5-113 FOR SUBSTANTIAL ALTERATION OR REMODELING OF THE CONVEYANCE.

(II) THE ADMINISTRATOR SHALL, IN COOPERATION WITH LOCAL JURISDICTIONS, PROMULGATE RULES THAT AUTHORIZE THE

ADMINISTRATOR OR A LOCAL JURISDICTION TO REQUIRE AN ELEVATOR TO COMPLY WITH ANY PORTION OF ASME A17.3 NECESSARY TO PROTECT AGAINST A MATERIAL RISK TO THE PUBLIC SAFETY.".

Respectfully submitted,

Senate Committee:	House Committee:
(signed)	(signed)
Senator Harvey, Chair	Representative McFadyen, Chair
Senator Tapia	Representative Rice
Senator Gibbs	Representative Balmer

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB08-1398

THIS REPORT AMENDS THE
REREVISED BILL

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

Your first conference committee appointed on HB08-1398, concerning the operational account of the severance tax trust fund without making any appropriations therefrom, and, in connection therewith, changing the reserve requirement, requiring most transfers from the account to be made in three installments during a fiscal year, making the second and third transfers subject to proportional reduction if there are insufficient funds in the account to meet the reserve requirement at the end of the fiscal year, removing obsolete provisions of law, and reducing an appropriation in the long bill as a result of such transfers, has met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill, as the amendments appear in the rerevised bill, and that the following amendment be substituted therefor:

Amend rerevised bill, page 13, strike lines 2 and 3 and substitute the following:

"(b) IF THE REVENUE ESTIMATE PREPARED BY THE STAFF OF";
strike lines 20 through 23.

Respectfully submitted,

House Committee:	Senate Committee:
(signed)	(signed)
Representative Buescher, Chair	Senator Keller
Representative White	Senator Morse
Representative Pommer	

MESSAGE FROM THE HOUSE

May 5, 2008
Mr. President:

The House failed to pass SB08-225 on Second Reading. The bill is returned herewith.
The House has granted authorization to go beyond the scope of the differences on HB08-1398.

The House has adopted the First Report of the First Conference Committee on HB08-1180, as printed in House Journal, May 2, page 1880, and has repassed the bill as amended.

The House has adopted and returns herewith SJR08-027, SJR08-039.

The House has adopted and transmits herewith HJR08-1030, HJR08-1038, HJR08-1043 as printed in House Journal.

The House has adopted and transmits herewith HJR08-1039, and amended as printed in House Journal.

In response to the request of the Senate, the Speaker has appointed Representatives Butcher, chairman, King, and McFadyen as House conferees on the First Conference Committee on SB08-226.

The House has voted to reject the First Report of the First Conference Committee on HB08-1388 and discharged the First Conference Committee. The House has requested a Second Conference Committee. The Speaker has appointed Representatives Pommer, Chairman, Merrifield, and Massey as House Conferees on the Second Conference Committee on HB08-1388. The House has granted authorization to go beyond the scope of the differences on HB08-1388.

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the Committee recommends that **HB08-1411** be postponed indefinitely.

Call of the Senate. Call raised.

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:

HB08-1394 by Representative(s) Weissmann; also Senator(s) Tapia--Concerning reporting requirements to the committees of the general assembly, and, in connection therewith, continuing certain reporting requirements pursuant to the Colorado "Information Coordination Act".

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	N	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

Co-sponsors added: Tupa.

HB08-1400 by Representative(s) Scanlan; also Senator(s) Gibbs--Concerning the authority of the division of employment and training to use private moneys.

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

YES	29	NO	5	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	*
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	Y	Kopp	N	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	Y		

* Abstaining from voting under Senate Rule 17(c) -- Senator Tupa.

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

Co-sponsors added: Schwartz.

HB08-1350 by Representative(s) Madden; also Senator(s) Romer--Concerning the facilitation of the financing of renewable energy.

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

Co-sponsors added: Bacon, Boyd, Gibbs, Keller, Kester, Schwartz, Shaffer, Tupa and Williams.

HB08-1318 by Representative(s) Lundberg, Balmer, Gardner B., Gardner C., Garza-Hicks, Kerr J., King, Lambert, Looper, Marostica, Massey, May M., McNulty, Mitchell V., Roberts, Rose, Sonnenberg, Summers, Swalm, Vaad, White, Witwer; also Senator(s) Taylor--Concerning mitigation of the effects of the pine beetle infestation.

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	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

Co-sponsors added: Bacon, Boyd, Brophy, Gibbs, Harvey, Isgar, Johnson, Kester, Kopp, Morse, Penry, Renfroe, Romer, Sandoval, Schultheis, Shaffer, Tochtrop, Tupa, Ward, Wiens and Williams.

HB08-1405 by Representative(s) Fischer; also Senator(s) Shaffer--Concerning the funding of the Colorado water institute, and making an appropriation therefor.

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

YES	29	NO	6	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	N
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

Co-sponsors added: Bacon, Boyd, Gibbs, Johnson, Romer, Schwartz and Tochtrop.

HB08-1404 by Representative(s) Stafford, Marostica, McGihon, Garza-Hicks, Green, Gagliardi, Primavera; also Senator(s) Keller--Concerning a comprehensive review of Colorado's child welfare system to result in the development of an action plan to provide improved protection of children, and making an appropriation in connection therewith.

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	N
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	N	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	N	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	Y		

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

Co-sponsors added: Bacon, Boyd, Schwartz and Tochtrop.

HB08-1389 by Representative(s) Carroll M., Benefield, Borodkin, Butcher, Carroll T., Casso, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Gallegos, Green, Hodge, Kefalas, Kerr A., Labuda, Levy, Madden, McFadyen, McKinley, Merrifield, Middleton, Pommer, Primavera, Solano, Soper, Stafford, Todd, Weissmann; also Senator(s) Sandoval, Gordon, Shaffer, Tochtrop--Concerning increased oversight of health insurance rates, and making an appropriation therefor.

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

Third Reading Amendment No. 1(L.043), by Senator Sandoval.

Amend revised bill, page 14, strike lines 10 through 12.

Renumber succeeding sections accordingly.

Page 16, line 21, strike "10, and 11" and substitute "11, and 12".

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

Third Reading Amendment No. 2(L.044), by Senator Sandoval.

Amend revised, page 3, line 11, strike "FOR A";

strike lines 12 through 14.

Page 11, line 11, after "RATIOS," insert "ANY FACTORS IN SECTION 10-16-111,".

Page 15, after line 19, insert the following:

"(XVIII) THE COST OF PROVIDING OR ARRANGING HEALTH CARE SERVICES.".

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	N
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	N	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	N	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	Y		

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	N
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	N	Spence	N	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	N	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	N		

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

Co-sponsors added: Bacon, Boyd, Gibbs, Groff, Keller, Morse, Romer and Tupa.

HB08-1386 by Representative(s) Merrifield; also Senator(s) Spence--Concerning creation of a school leadership program within the department of education, and making an appropriation therefor.

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

YES	27	NO	8	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	N		

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

Co-sponsors added: Bacon, Gibbs, Groff, Morse, Penry, Tupa, Ward, Wiens, Williams and Windels.

HB08-1399 by Representative(s) Buescher, Carroll T., Curry, Gallegos, Gardner C., Hodge, Looper, McFadyen, Pommer, Sonnenberg, White, McKinley; also Senator(s) Isgar, Keller, Kester, Morse--Concerning the use of interest from moneys in the unclaimed property tourism promotion trust fund for state agricultural efforts, and, in connection therewith, specifying how such moneys shall be distributed, clarifying that the distributions shall begin in the 2008-09 state fiscal year, and creating the agriculture management fund, and making an appropriation.

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

YES	29	NO	6	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	N	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	N	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

Co-sponsors added: Taylor.

HB08-1384 by Representative(s) Todd and Merrifield; also Senator(s) Bacon--Concerning improving retention of quality educators, and making an appropriation in connection therewith.

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

YES	29	NO	6	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	Y		

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

Co-sponsors added: Gibbs, Groff, Morse, Sandoval, Schwartz, Tupa, Williams and Windels.

HB08-1378 by Representative(s) Kefalas; also Senator(s) Gordon--Concerning the use of ranked voting methods, and, in connection therewith, authorizing cities and special districts to use ranked voting.

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

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	N	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	N	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	N
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	N	Spence	N	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	N	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	N		

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

Co-sponsors added: Bacon, Groff, Schwartz, Tupa and Windels.

HB08-1387 by Representative(s) Buescher, Gallegos, McFadyen, Pommer; also Senator(s) Veiga--Concerning energy-related assistance to low-income households from the proceeds of the operational account of the severance tax trust fund, and making an appropriation in connection therewith.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	N	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

Co-sponsors added: Bacon, Boyd, Gibbs, Gordon, Groff, Isgar, Morse, Sandoval, Schwartz, Shaffer, Tapia, Tochtrop, Tupa and Williams.

HB08-1401 by Representative(s) Marshall; also Senator(s) Gordon--Concerning a requirement that the county clerk and recorder of each county send a voter information card to each registered eligible elector of the county other than an elector whose previous communication from the county clerk and recorder was returned as undeliverable, and making an appropriation therefor.

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

Third Reading Amendment No. 1(L.009), by Senator Keller.

Amend revised bill, page 2, line 18, after the period, add "ALL OF THE COSTS FOR SENDING VOTER REGISTRATIONS CARDS AS REQUIRED IN THIS SUBPARAGRAPH (I) SHALL BE REIMBURSED FROM MONEYS IN THE DEPARTMENT OF STATE CASH FUND CREATED IN SECTION 24-21-104 (3) (b), C.R.S.".

Page 3, line 4, after the period, add "ALL OF THE COSTS FOR SENDING VOTER REGISTRATIONS CARDS AS REQUIRED IN THIS PARAGRAPH (a) SHALL BE REIMBURSED FROM MONEYS IN THE DEPARTMENT OF STATE CASH FUND CREATED IN SECTION 24-21-104 (3) (b), C.R.S.".

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	18	NO	17	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	N	Romer	Y	Tochtrop	N
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	N	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	N
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	N	Spence	N	Williams	Y
Hagedorn	Y	Morse	Y	Takis	N	Windels	Y
Harvey	N	Penry	N	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	N		

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

COMMITTEE OF REFERENCE REPORTS

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB08-1410** be referred to the Committee of the Whole with favorable recommendation.

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB08-1227

THIS REPORT AMENDS THE
REREVISED BILL

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

Your first conference committee appointed on HB08-1227, concerning the public utilities commission, and, in connection therewith, continuing the public utilities commission under the sunset law, and making an appropriation, has met and reports that it has agreed upon the following:

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

Amend rerevised bill, page 3, strike lines 20 through 27.

Page 4, strike lines 1 through 24.

Renumber succeeding sections accordingly.

Page 17, line 7, after the semicolon, add "OR";

line 9, strike "ASSOCIATION; OR" and substitute "ASSOCIATION.";
strike lines 10 and 11.
Respectfully submitted,

House Committee:	Senate Committee:
(signed)	(signed)
Representative Madden, Chair	Senator Tapia, Chair
Representative McFayden	Senator Cadman
Representative White	Senator Romer

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB08-1227 by Representative(s) Madden; also Senator(s) Tapia--Concerning the public utilities commission, and, in connection therewith, continuing the public utilities commission under the sunset law, and making an appropriation.

Senator Tapia moved for the adoption of the First Report of the First Conference Committee on **HB08-1227**, as printed in Senate Journal, May 5, pages 1406-1407. The motion was **adopted** by the following roll call vote:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	N	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	N	Schwartz	N	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

IMMEDIATE RECONSIDERATION OF HB08-1227

HB08-1227 by Representative(s) Madden; also Senator(s) Tapia--Concerning the public utilities commission, and, in connection therewith, continuing the public utilities commission under the sunset law, and making an appropriation.

Having voted on the prevailing side, Senator Cadman moved for immediate reconsideration of the last Senate action, Repassage of Passage, on **HB08-1227**.

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

REPASSAGE OF HB08-1227

HB08-1227 by Representative(s) Madden; also Senator(s) Tapia--Concerning the public utilities commission, and, in connection therewith, continuing the public utilities commission under the sunset law, and making an appropriation.

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	N	Schultheis	Y	Veiga	Y
Cadman	N	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions -- SJR08-022.

CONSIDERATION OF RESOLUTIONS

SJR08-022 by Senator(s) Cadman, Penry; also Representative(s) McKinley--Concerning new rules and regulations currently being drafted by the Colorado Oil and Gas Conservation Commission.

Amendment No. 1(L.001), by Senator Kester.

Amend printed resolution, page 2, line 43, strike "and".
Page 3, line 4, strike "adoption." and substitute "adoption; and";
after line 4, insert the following:

"(4) That we, the members of the Colorado General Assembly, urge the Colorado Oil and Gas Conservation Commission to conduct official hearings in **all** Colorado basins at a time and place and with due regard for the convenience and necessity of the parties and their representatives."

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

YES	16	NO	19	EXCUSED	0	ABSENT	0
Bacon	N	Johnson	Y	Romer	N	Tochtrop	N
Boyd	N	Keller	N	Sandoval	N	Tupa	N
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	N
Cadman	Y	Kopp	Y	Schwartz	N	Ward	Y
Gibbs	N	McElhany	Y	Shaffer	N	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	N
Hagedorn	N	Morse	N	Takis	N	Windels	N
Harvey	Y	Penry	Y	Tapia	N	President	N
Isgar	N	Renfroe	Y	Taylor	Y		

The resolution was declared **lost** on the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Bacon	N	Johnson	Y	Romer	N	Tochtrop	N
Boyd	N	Keller	N	Sandoval	N	Tupa	N
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	N
Cadman	Y	Kopp	Y	Schwartz	N	Ward	Y
Gibbs	N	McElhany	Y	Shaffer	N	Wiens	Y
Gordon	N	Mitchell S.	Y	Spence	Y	Williams	N
Hagedorn	N	Morse	N	Takis	N	Windels	N
Harvey	Y	Penry	Y	Tapia	N	President	N
Isgar	N	Renfroe	Y	Taylor	Y		

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB08-131 by Senator(s) Morse, Keller, Johnson; also Representative(s) Buescher, Pommer, White-- Concerning an increase in the funding to the supplemental old age pension health and medical care fund from the receipts collected from the state sales and use tax.

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	Y	Kopp	N	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	N	Spence	N	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	N		

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

SB08-079 by Senator(s) Sandoval, Groff, Romer, Tapia, Tupa, Veiga, Williams; also Representative(s) Massey, Carroll T., Ferrandino, Marshall--Concerning assignment of in-state student classification to a student who is a United States citizen who has attended high school in Colorado for a specified period of time prior to the date the student received a secondary school certificate, and making an appropriation therefor.

Senator Sandoval moved that the Senate concur in House amendments to **SB08-079**, as printed in House Journal, April 24, pages 1567-1568. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	31	NO	4	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	N	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

SB08-026
by Senator(s) Hagedorn; also Representative(s) White and Frangas--Concerning a requirement that cigarettes sold in Colorado meet specified standards for reduced ignition propensity, and making an appropriation in connection therewith.

Senator Hagedorn moved that the Senate concur in House amendments to **SB08-026**, as printed in House Journal, April 25, page 1606. The motion was **passed** by the following roll call vote:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	29	NO	6	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	N	Spence	N	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	N		

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

SB08-006
by Senator(s) Boyd, Windels; also Representative(s) Solano, Stafford--Concerning suspension of medicaid benefits for persons confined pursuant to a court order, and making an appropriation therefor.

Senator Boyd moved that the Senate concur in House amendments to **SB08-006**, as printed in House Journal, April 25, page 1607. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

SB08-194 by Senator(s) Hagedorn; also Representative(s) McGihon--Concerning public health, and making an appropriation in connection therewith.

Senator Hagedorn moved that the Senate concur in House amendments to **SB08-194**, as printed in House Journal, April 25, paged 1607. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	N	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	N	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	N		

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

SB08-119 by Senator(s) Romer; also Representative(s) Looper--Concerning a limited exemption for water collected from residential rooftops, and, in connection therewith, directing the water resources review committee to study issues related to an exemption for water collected from impermeable surfaces in residential developments.

Senator Romer moved that the Senate concur in House amendments to **SB08-119**, as printed in House Journal, April 25, page 1608. The motion was **passed** by the following roll call vote:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	N	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	N	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	Y		

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	Y		

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

SB08-071 by Senator(s) Gibbs, Boyd, Harvey, Kester, Kopp, Morse, Penry, Renfroe, Romer, Schwartz, Spence, Tapia, Wiens, Williams; also Representative(s) Scanlan, Benefield, Curry, Gallegos, Kefalas, Kerr A., Kerr J., Levy, Looper, Marshall, McFadyen, Peniston, Solano, White, Witwer--Concerning extension of the repeal date of the forest restoration pilot program, and, in connection therewith, extending the repeal date of the technical advisory panel, and making an appropriation.

Senator Gibbs moved that the Senate concur in House amendments to **SB08-071**, as printed in House Journal, April 28, page 1608 and April 28, pages 1636-1638. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	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: Tochtrop.

SB08-168 by Senator(s) Isgar; also Representative(s) Curry--Concerning the species conservation trust fund, and, in connection therewith, approving the species conservation eligibility list, adjusting previously-approved transfers and approvals, and making appropriations.

Senator Isgar moved that the Senate concur in House amendments to **SB08-168**, as printed in House Journal, April 25, page 1608. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

SB08-206 by Senator(s) Shaffer and Penry, Bacon, Kester, Morse, Sandoval, Tapia, Tochtrop, Veiga; also Representative(s) Carroll T. and Marostica, Gardner B., Jahn, Levy, Liston, Looper, Madden, Marshall, Massey, McFadyen, Pommer, Riesberg, Rose, Summers, Swalm, White--Concerning the authority of the state to enter into lease-purchase agreements, and, in connection therewith, authorizing lease-purchase agreements for a state justice center and a new Colorado state museum, increasing civil court fees to pay costs associated with the state justice center project, and authorizing transfers and payments from the portion of the state historical fund not reserved for the statewide grant program to pay for the Colorado state museum, and making an appropriation therefor.

Senator Shaffer moved that the Senate concur in House amendments to **SB08-206**, as printed in House Journal, April 28, page 1642. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	N
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	N	Spence	N	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	Y		

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

SB08-075 by Senator(s) Veiga, Brophy; also Representative(s) McGihon, Gardner B., Levy, Roberts--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.

Senator Veiga moved that the Senate concur in House amendments to **SB08-075**, as printed in House Journal, April 28, page 1642. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

SB08-060 by Senator(s) Boyd; also Representative(s) Summers--Concerning the continuation of the automobile theft prevention authority, and, in connection therewith, continuing the automobile theft prevention board, and making an appropriation.

Senator Boyd moved that the Senate concur in House amendments to **SB08-060**, as printed in House Journal, April 29, pages 1692-1693. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	23	NO	12	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	N
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	N	Spence	N	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	N	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	N		

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

SB08-054 by Senator(s) Shaffer; also Representative(s) Carroll T.--Concerning judicial performance evaluations, and making an appropriation therefor.

Senator Shaffer moved that the Senate concur in House amendments to **SB08-054**, as printed in House Journal, April 29, pages 1693-1694 and April 30, page 1729-1731. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

SB08-130 by Senator(s) Groff and Spence, Romer; also Representative(s) Witwer and Carroll T.--Concerning authorization of school district boards of education to implement policy innovations in public schools, and, in connection therewith, enacting the "Innovation Schools Act of 2008", and making an appropriation.

Senator Groff moved that the Senate concur in House amendments to **SB08-130**, as printed in House Journal, April 29, page 1694. The motion was **passed** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	N	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

SB08-038 by Senator(s) Schwartz; also Representative(s) Massey--Concerning the creation of a system of regional service areas throughout the state to support economic efficiencies in the delivery of effective public education services, and making an appropriation in connection therewith.

Senator Schwartz moved that the Senate concur in House amendments to **SB08-038**, as printed in House Journal, April 29, page 1695. The motion was **passed** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	N	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	N	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	N	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	N
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	N	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	N		

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

Co-sponsors added: Bacon and Penry.

SB08-166 by Senator(s) Shaffer; also Representative(s) McNulty--Concerning eligibility for the college opportunity fund for members of the Colorado National Guard who are eligible for in-state tuition, and making appropriation therefor.

Senator Shaffer moved that the Senate concur in House amendments to **SB08-166**, as printed in House Journal, April 29, page 1695. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	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: Wiens.

SB08-184 by Senator(s) Romer; also Representative(s) Levy--Concerning the creation of clean energy finance programs, and making an appropriation therefor.

Senator Romer moved that the Senate concur in House amendments to **SB08-184**, as printed in House Journal, April 29, pages 1696-1697. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	N
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	N	Spence	N	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	N	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	N		

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

SB08-123
by Senator(s) Sandoval; also Representative(s) Madden--Concerning a program to provide additional funding for school lunch programs, and making an appropriation therefor.

Senator Sandoval moved that the Senate concur in House amendments to **SB08-123**, as printed in House Journal, April 30, page 1770. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	N	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	N	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	N
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	N	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	N		

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

SB08-221
by Senator(s) Romer and Gibbs; also Representative(s) Scanlan and White--Concerning the authority of the Colorado water resources and power development authority to issue bonds for certain projects.

Senator Romer moved that the Senate concur in House amendments to **SB08-221**, as printed in House Journal, April 30, page 1772. The motion was **passed** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	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: Williams and Windels.

SB08-044 by Senator(s) Renfroe; also Representative(s) McFadyen--Concerning tuberculosis screening for higher education students.

Senator Renfroe moved that the Senate concur in House amendments to **SB08-044**, as printed in House Journal, April 30, page 1772. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	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: Kester and Taylor.

SB08-210 by Senator(s) Shaffer; also Representative(s) Scanlan--Concerning Colorado child care assistance program provider reimbursement rates.

Senator Shaffer moved that the Senate concur in House amendments to **SB08-210**, as printed in House Journal, May 1, pages 1796-1798. The motion was **passed** by the following roll call vote:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	N
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	Y	Spence	N	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	N	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	N		

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

YES	23	NO	12	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	N
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	Y	Spence	N	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	N	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	N		

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

SB08-219 by Senator(s) Romer, Groff, Morse, Tapia, Tochtrop; also Representative(s) McFadyen and Rice, Kerr A., Liston, Looper, Merrifield, Middleton, Pommer, Primavera, Solano-- Concerning registration of massage therapists, and making an appropriation therefor.

Senator Romer moved that the Senate concur in House amendments to **SB08-219**, as printed in House Journal, May 1, page 1803. The motion was **passed** by the following roll call vote:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	N
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	N	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	N	Spence	Y	Williams	Y
Hagedorn	Y	Morse	N	Takis	Y	Windels	Y
Harvey	N	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	Y		

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

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	N	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	N	Ward	N
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	N	Spence	N	Williams	Y
Hagedorn	Y	Morse	N	Takis	Y	Windels	Y
Harvey	N	Penry	N	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	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: Tupa.

SB08-200 by Senator(s) Veiga; also Representative(s) Judd, Borodkin, Carroll M., Carroll T., Casso, Ferrandino, Frangas, Green, Kerr A., Levy, Madden, Marshall, McGihon, Pommer, Todd-- Concerning the expansion of prohibitions against discrimination, and making an appropriation therefor.

Senator Veiga moved that the Senate concur in House amendments to **SB08-200**, as printed in House Journal, May 1, pages 1804-1805. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	N	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	N	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	N
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	N	Spence	N	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	N	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	N		

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

SB08-238 by Senator(s) Bacon; also Representative(s) King--Concerning a prohibition on the reproduction of sexually exploitative material in a criminal case.

Senator Bacon moved that the Senate concur in House amendments to **SB08-238**, as printed in House Journal, May 1, page 1805. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

SB08-228 by Senator(s) Schwartz, Bacon, Isgar, Shaffer; also Representative(s) Curry, Scanlan-- Concerning increased public disclosure of the contents of a notice of intent to conduct mining operations.

Senator Schwartz moved that the Senate concur in House amendments to **SB08-228**, as printed in House Journal, May 1, page 1806. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	28	NO	7	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	N	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	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: Johnson.

SB08-217 by Senator(s) Hagedorn, Johnson; also Representative(s) McGihon and Massey, Roberts-- Concerning the framework for developing the centennial care choices program to reform the health care system in Colorado, and making an appropriation therefor.

Laid over until Tuesday, May 6, retaining its place on the calendar.

SB08-152 by Senator(s) Tochtrop, Romer; also Representative(s) Gagliardi, Fischer, Kefalas-- Concerning the regulation of occupational therapy practitioners, and making an appropriation therefor.

Senator Tochtrop moved that the Senate concur in House amendments to **SB08-152**, as printed in House Journal, April 24, pages 1566-1567. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	N
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	N	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	N	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	Y		

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

SB08-013

by Senator(s) Schwartz; also Representative(s) Fischer--Concerning the appropriation of moneys from the operational account of the severance tax trust fund to the department of natural resources for programs recommended by the executive director of the department, and, in connection therewith, reducing by a specified number of percentage points the maximum percentages of total available operational account moneys that may be appropriated for programs within the Colorado oil and gas conservation commission and the division of reclamation, mining, and safety, allowing appropriations to be made in amounts up to a specified percentage of the total available operational account moneys for programs within the division of wildlife and the division of parks and outdoor recreation, and exempting appropriations made to the division of wildlife from the two-year reserve requirement of the operational account, and making an appropriation.

Senator Schwartz moved that the Senate concur in House amendments to **SB08-013**, as printed in House Journal, April 28, pages 1643-1644. The motion was **passed** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

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

YES	26	NO	9	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	Y	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	N	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	N	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	Y	Spence	N	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	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: Bacon, Gibbs and Tapia.

On motion of Senator Gordon, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB08-1410 was made Special Orders at 9:23 p.m.

Committee of the Whole	The hour of 9:23 p.m. having arrived, Senator Taylor moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills and Senator Taylor was called to the Chair to act as Chairman.	1 2 3 4 5
	SPECIAL ORDERS -- SECOND READING OF BILLS	6 7
	The Committee of the Whole having risen, the Chairman reported that the following bill, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:	8 9 10 11
HB08-1410	by Representative(s) Kerr A., Frangas, Borodkin, Butcher, Casso, Ferrandino, Fischer, Gallegos, Green, Hodge, Kefalas, Labuda, Madden, Marshall, McFadyen, McGihon, Middleton, Peniston, Primavera, Scanlan, Soper, Todd; also Senator(s) Tochtrop-- Concerning a requirement that health insurance plans include coverage for colorectal cancer prevention services, and, in connection therewith, exempting certain small group basic health plans.	12 13 14 15 16 17 18
	(Amended in Special Orders as printed in Senate Journal, May 5, page 1364.)	19
	<u>Amendment No. 3(L.017), by Senator Windels.</u>	20 21 22
	Amend revised bill, page 7, strike lines 22 through 27.	23 24
	Page 8, strike lines 1 through 8 and substitute the following:	25 26
	"SECTION 4. 10-16-103.3, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:	27 28 29
	10-16-103.3. Commission on mandated health insurance benefits - cash fund - purpose - creation - duties - repeal. (10) THE COMMISSION SHALL MEET DURING THE 2008 INTERIM TO CONSIDER THE MANDATED HEALTH INSURANCE COVERAGE ESTABLISHED BY SECTION 10-16-104 (18). THE COMMISSIONER OF INSURANCE SHALL NOTIFY THE REVISOR OF STATUTES OF THE RESULTS OF THE COMMISSION'S CONSIDERATION BY DECEMBER 31, 2008.	30 31 32 33 34 35 36 37
	SECTION 5. Effective date - applicability. (1) Except as specified in subsection (2) of this section, this act shall take effect upon passage and shall apply to policies and contracts that are delivered, issued, renewed, or reinstated on or after said date.	38 39 40 41 42
	(2) Sections 1, 2, and 3 of this shall take effect only if the commission on mandated health insurance benefits created in section 10-16-103.3, Colorado Revised Statutes:	43 44 45 46
	(a) Twice fails to reach a quorum to consider the mandated health insurance coverage established by section 10-16-104 (18); or	47 48 49
	(b) Concludes that the benefits of the mandated health insurance coverage established by section 10-16-104 (18) outweigh its harms.	50 51 52
	SECTION 6. 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."	53 54 55 56 57
	As amended, ordered revised and placed on the calendar for Third Reading and Final Passage.	58 59 60
	ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE	61 62
	On motion of Senator Taylor, the Report of the Committee of the Whole was adopted on the following roll call vote:	63 64 65

YES	28	NO	7	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	N	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	N	Veiga	Y
Cadman	N	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	N	Shaffer	Y	Wiens	N
Gordon	Y	Mitchell S.	N	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	Y		

The Committee of the Whole took the following action:

Passed on Second Reading: HB08-1410 as amended.

MEMORANDUM
REPORT FROM THE HOUSE AND SENATE
COMMITTEES ON DELAYED BILLS

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadline for House Bill No. 08-1388, Concerning the Financing of Public Schools:

The Friday, March 14 deadline (the 66th legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, as extended until Friday, April 25, 2008 (the 108th legislative day), Friday, May 2, 2008 (the 115th legislative day), and subsequently until Monday, May 5, 2008 (the 118th legislative day), is further extended until Wednesday, May 7, 2008 (the 120th legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

(signed) Representative Romanoff Speaker of the House of Representatives	(signed) Senator Groff President of the Senate
(signed) Representative Madden House Majority Leader	(signed) Senator Gordon Senate Majority Leader
(signed) Representative May House Minority Leader	

CONSIDERATION OF FIRST CONFERENCE COMMITTEE
ON HB08-1388

HB08-1388 by Representative(s) Pommer; also Senator(s) Windels--Concerning the financing of public schools, and making an appropriation therefor.

Senator Windels moved for reconsideration of the First Report of the First Conference Committee and the readoption of **HB08-1388**. The motion was adopted on the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	N	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

Senator Windels moved that the First Conference Committee on HB08-1388 be dissolved and that a new conference committee be formed. The motion was adopted on the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	N	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	Y	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	Y	Taylor	Y		

The President appointed Senators Windels, Chair, Tupa, and Penry as Senate Conferees on the First Conference Committee on **HB08-1388**.

Senator Windels moved that the Senate Conferees on the Second Conference Committee on **HB08-1388** be granted permission to go beyond the scope of the differences between the two Houses.

A majority of all members elected to the Senate having voted in the affirmative, the motion was declared **adopted** on the following roll call vote:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Bacon	Y	Johnson	N	Romer	Y	Tochtrop	Y
Boyd	Y	Keller	Y	Sandoval	Y	Tupa	Y
Brophy	Y	Kester	Y	Schultheis	Y	Veiga	Y
Cadman	Y	Kopp	Y	Schwartz	Y	Ward	Y
Gibbs	Y	McElhany	Y	Shaffer	Y	Wiens	Y
Gordon	Y	Mitchell S.	Y	Spence	Y	Williams	Y
Hagedorn	Y	Morse	Y	Takis	Y	Windels	Y
Harvey	N	Penry	Y	Tapia	Y	President	Y
Isgar	Y	Renfroe	N	Taylor	Y		

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

- Consideration of Resolutions:

 - SJR08-021, HJR08-1020, SJR08-029, SJR08-033, SJR08-035, SJR08-037, SJR08-038, SJR08-025, SJR08-041, HJR08-1033, SJR08-036, HJR08-1035, HJR08-1036, HB08-1031.
- Consideration of Memorials:

 - SJM08-003, SJM08-004, SJM08-005, SM08-004.
- Consideration of House Amendments to Senate Resolutions:

 - SJR08-024, SJR08-030.
- Consideration of Governor's Appointments:

 - Member of the Private Occupational School Board.
 - Members of the Colorado Educational and Cultural Facilities Authority Board of Directors.
 - Members of the Advisory Committee on Governmental Accounting.
 - Member of the Workers' Compensation Cost Containment Board.
 - Member of the Rocky Mountain Low-Level Radioactive Waste Board.

Members of the State Board of Parole.
Member of the Renewable Energy Authority Board of Directors.
Members of the Read-to-Achieve Board.
Members of the Private Occupational School Board.
Member of the State Board of Stock Inspection Commissioners.
Members of the Colorado State Fair Authority Board of Commissioners
Member of the CoverColorado Board of Directors.
Member of the Colorado Commission on the Aging.
Consideration of Conference Committee Reports: SB08-218, SB08-018, SB08-205.

Journal correction:

Page 1327, strike line 4 and insert the following:

"Co-sponsors added: Boyd, Gibbs, Gordon, Groff, Isgar, Keller, Mitchell S., Sandoval, Shaffer, Tochtrop, Tupa, Veiga, Williams.".

On motion of Senator Gordon, the Senate adjourned until 10:00 a.m., Tuesday, May 6, 2008.

Approved:

Peter C. Groff
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate