

HOUSE JOURNAL
SIXTY-SIXTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Sixty-fourth Legislative Day

Wednesday, March 14, 2007

- 1 Prayer by Pastor Curtis Miller, Worship Center, Brighton.
 2
 3 The Speaker called the House to order at 9:00 a.m.
 4
 5 Pledge of Allegiance led by Madison Green, Eyestone Elementary,
 6 Wellington.
 7
 8 The roll was called with the following result:
 9
 10 Present--61.
 11 Excused--Representatives McFadyen, McGihon, Merrifield--3.
 12 Absent--Representative Pommer--1.
 13 Present after roll call--Representatives McFadyen, McGihon,
 14 Pommer.
 15
 16 The Speaker declared a quorum present.
-

18
 19 On motion of Representative King, the reading of the journal of
 20 March 13, 2007, was declared dispensed with and approved as corrected
 21 by the Chief Clerk.

THIRD READING OF BILLS--FINAL PASSAGE

26 The following bills were considered on Third Reading. The titles were
 27 publicly read. Reading of the bill at length was dispensed with by
 28 unanimous consent.
 29
 30 **SB07-148** by Senator(s) Romer, Spence, Gordon, Groff, Hagedorn,
 31 Keller, Morse, Sandoval, Shaffer, Tapia, Tochtrop, Veiga,
 32 Williams; also Representative(s) Casso--Concerning
 33 expanding simultaneous enrollment in secondary and
 34 postsecondary institutions.

35
 36 The question being "Shall the bill pass?".
 37 A roll call vote was taken. As shown by the following recorded vote, a
 38 majority of those elected to the House voted in the affirmative and the bill
 39 was declared **passed**.

40

	YES	62	NO	02	EXCUSED	01	ABSENT	00
42	Balmer	Y	Gardner B	Y	Looper	Y	Rice	Y
43	Benefield	Y	Gardner C	Y	Lundberg	Y	Riesberg	Y

1	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
2	Buescher	Y	Green	Y	Marostica	Y	Rose	Y
3	Butcher	Y	Hicks	Y	Marshall	Y	Solano	Y
4	Cadman	Y	Hodge	Y	Massey	Y	Sonnenberg	Y
5	Carroll M	Y	Jahn	Y	May	Y	Soper	Y
6	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	Y
7	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	Y
8	Cerbo	Y	Kerr A	Y	McKinley	N	Summers	Y
9	Curry	Y	Kerr J	Y	McNulty	Y	Swalm	Y
10	Fischer	Y	King	Y	Merrifield	E	Todd	Y
11	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
12	Gagliardi	Y	Lambert	Y	Peniston	Y	Weissmann	Y
13	Gallegos	Y	Levy	Y	Pommer	Y	White	N
14	Garcia	Y	Liston	Y	Primavera	Y	Witwer	Y
15							Speaker	Y

16 Co-sponsors added: Representatives Benefield, Butcher, Carroll T, Fischer,
 17 Frangas, Hodge, Jahn, Kerr A, Labuda, Levy, Madden, Massey, May,
 18 McFadyen, Mitchell, Pommer, Riesberg, Solano, Stafford, Summers, Todd,
 19 Speaker.

20
 21 **SB07-052** by Senator(s) Tapia; also Representative(s) McFadyen--
 22 Concerning changes to the membership requirements for
 23 the board of governors of the Colorado state university
 24 system.
 25

26 The question being "Shall the bill pass?".

27 A roll call vote was taken. As shown by the following recorded vote, a
 28 majority of those elected to the House voted in the affirmative and the bill
 29 was declared **passed**.

31	YES	56	NO	08	EXCUSED	01	ABSENT	00
32	Balmer	Y	Gardner B	N	Looper	Y	Rice	Y
33	Benefield	Y	Gardner C	N	Lundberg	N	Riesberg	Y
34	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
35	Buescher	Y	Green	Y	Marostica	Y	Rose	N
36	Butcher	Y	Hicks	Y	Marshall	Y	Solano	Y
37	Cadman	N	Hodge	Y	Massey	Y	Sonnenberg	N
38	Carroll M	Y	Jahn	Y	May	Y	Soper	Y
39	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	Y
40	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	Y
41	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
42	Curry	Y	Kerr J	Y	McNulty	N	Swalm	Y
43	Fischer	Y	King	Y	Merrifield	E	Todd	Y
44	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
45	Gagliardi	Y	Lambert	Y	Peniston	Y	Weissmann	Y
46	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
47	Garcia	Y	Liston	N	Primavera	Y	Witwer	Y
48							Speaker	Y

49 Co-sponsors added: Representatives Buescher, Butcher, Frangas, Gallegos,
 50 Labuda, Todd, Speaker.

51
 52
 53 **HB07-1106** by Representative(s) Gallegos; also Senator(s) Bacon--
 54 Concerning the income thresholds used to determine
 55 assistance grants for elderly and disabled persons.
 56

1 The question being "Shall the bill pass?"
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

5

6	YES	51	NO	13	EXCUSED	01	ABSENT	00
7	Balmer	Y	Gardner B	N	Looper	N	Rice	Y
8	Benefield	Y	Gardner C	N	Lundberg	N	Riesberg	Y
9	Borodkin	Y	Gibbs	Y	Madden	N	Roberts	Y
10	Buescher	Y	Green	Y	Marostica	N	Rose	N
11	Butcher	Y	Hicks	Y	Marshall	Y	Solano	Y
12	Cadman	N	Hodge	Y	Massey	Y	Sonnenberg	N
13	Carroll M	Y	Jahn	Y	May	Y	Soper	Y
14	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	Y
15	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	Y
16	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
17	Curry	Y	Kerr J	N	McNulty	N	Swalm	Y
18	Fischer	Y	King	Y	Merrifield	E	Todd	Y
19	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
20	Gagliardi	Y	Lambert	N	Peniston	Y	Weissmann	Y
21	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
22	Garcia	Y	Liston	N	Primavera	Y	Witwer	Y
23							Speaker	Y

24 Co-sponsors added: Representatives Borodkin, Buescher, Butcher, Casso,
 25 Fischer, Frangas, Green, Hodge, Jahn, Kefalas, Labuda, Levy, McFadyen,
 26 McGihon, Mitchell, Peniston, Primavera, Roberts, Solano, Todd, Weissmann,
 27 Speaker.

28

29 **HB07-1108** by Representative(s) Roberts; also Senator(s) Boyd--
 30 Concerning implementation of the cigar-tobacco bar
 31 exemption under the "Colorado Clean Indoor Air Act",
 32 and, in connection therewith, authorizing local
 33 governments to adopt procedures for the certification of
 34 cigar-tobacco bars, enacting a default procedure under the
 35 authority of the department of revenue, and specifying that
 36 a cigar-tobacco bar must rent humidors, and making an
 37 appropriation.

38

39 The question being "Shall the bill pass?"

40 A roll call vote was taken. As shown by the following recorded vote, a
 41 majority of those elected to the House voted in the affirmative and the bill
 42 was declared **passed**.

43

44	YES	35	NO	29	EXCUSED	01	ABSENT	00
45	Balmer	Y	Gardner B	N	Looper	N	Rice	Y
46	Benefield	Y	Gardner C	N	Lundberg	N	Riesberg	Y
47	Borodkin	Y	Gibbs	Y	Madden	N	Roberts	Y
48	Buescher	Y	Green	Y	Marostica	N	Rose	N
49	Butcher	N	Hicks	N	Marshall	Y	Solano	Y
50	Cadman	N	Hodge	Y	Massey	Y	Sonnenberg	N
51	Carroll M	Y	Jahn	N	May	Y	Soper	Y
52	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	N
53	Casso	N	Kefalas	Y	McGihon	Y	Stephens	N
54	Cerbo	Y	Kerr A	Y	McKinley	N	Summers	N
55	Curry	N	Kerr J	Y	McNulty	N	Swalm	N
56	Fischer	Y	King	N	Merrifield	E	Todd	Y

1	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	N
2	Gagliardi	Y	Lambert	N	Peniston	Y	Weissmann	N
3	Gallegos	N	Levy	Y	Pommer	Y	White	N
4	Garcia	N	Liston	N	Primavera	Y	Witwer	N
5							Speaker	Y

6 Co-sponsors added: Representatives Borodkin, Green, Labuda, McGihon,
 7 Soper, Todd.

8

9 **HB07-1304** by Representative(s) Marshall, Madden, Romanoff,
 10 Weissmann; also Senator(s) Ward--Concerning the
 11 implementation of article XXIX of the state constitution,
 12 and making an appropriation therefor.

13

14 The question being "Shall the bill pass?".

15 A roll call vote was taken. As shown by the following recorded vote, a
 16 majority of those elected to the House voted in the affirmative and the bill
 17 was declared **passed**.

18

19	YES	46	NO	16	EXCUSED	03	ABSENT	00
20	Balmer	Y	Gardner B	N	Looper	N	Rice	Y
21	Benefield	Y	Gardner C	Y	Lundberg	N	Riesberg	Y
22	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
23	Buescher	Y	Green	Y	Marostica	Y	Rose	N
24	Butcher	Y	Hicks	Y	Marshall	Y	Solano	Y
25	Cadman	N	Hodge	Y	Massey	Y	Sonnenberg	N
26	Carroll M	Y	Jahn	Y	May	Y	Soper	N
27	Carroll T	E	Judd	Y	McFadyen	Y	Stafford	Y
28	Casso	Y	Kefalas	Y	McGihon	E	Stephens	Y
29	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
30	Curry	Y	Kerr J	N	McNulty	N	Swalm	N
31	Fischer	Y	King	Y	Merrifield	E	Todd	Y
32	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	N
33	Gagliardi	N	Lambert	N	Peniston	Y	Weissmann	Y
34	Gallegos	Y	Levy	Y	Pommer	Y	White	N
35	Garcia	N	Liston	N	Primavera	Y	Witwer	Y
36							Speaker	Y

37 Representatives Carroll T., McGihon excused from voting under House
 38 Rule 21(c).

39 Co-sponsors added: Representatives Borodkin, Buescher, Carroll M, Casso,
 40 Curry, Fischer, Green, Labuda, Levy, Marostica, Peniston, Todd.

41

42 **HB07-1330** by Representative(s) Madden, Carroll M., Carroll T.,
 43 Cerbo, Frangas, Green, Judd, Kefalas, Kerr A., Levy,
 44 McGihon, Pommer; also Senator(s) Veiga--Concerning the
 45 second-parent adoption of a child of a sole legal parent.

46

47 The question being "Shall the bill pass?".

48 A roll call vote was taken. As shown by the following recorded vote, a
 49 majority of those elected to the House voted in the affirmative and the bill
 50 was declared **passed**.

51

52	YES	39	NO	25	EXCUSED	01	ABSENT	00
53	Balmer	N	Gardner B	N	Looper	N	Rice	Y
54	Benefield	Y	Gardner C	N	Lundberg	N	Riesberg	Y
55	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
56	Buescher	Y	Green	Y	Marostica	N	Rose	N

1	Butcher	N	Hicks	N	Marshall	Y	Solano	Y
2	Cadman	N	Hodge	Y	Massey	Y	Sonnenberg	N
3	Carroll M	Y	Jahn	Y	May	N	Soper	N
4	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	N
5	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	N
6	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	N
7	Curry	Y	Kerr J	N	McNulty	N	Swalm	N
8	Fischer	Y	King	N	Merrifield	E	Todd	Y
9	Frangas	Y	Labuda	Y	Mitchell	N	Vaad	N
10	Gagliardi	Y	Lambert	N	Peniston	Y	Weissmann	Y
11	Gallegos	N	Levy	Y	Pommer	Y	White	Y
12	Garcia	Y	Liston	N	Primavera	Y	Witwer	Y
13							Speaker	Y

14 Co-sponsors added: Representatives Borodkin, Curry, Gibbs, Labuda, Marshall,
 15 Speaker.

16

17 On motion of Representative Madden, consideration of **HB07-1170**,
 18 **SB07-023**, **HB07-1037** was laid over until March 15, retaining place on
 19 Calendar.

20

21

22

23 CONSIDERATION OF RESOLUTION

24

25 **HJR07-1019** by Representative(s) Romanoff; also Senator Gordon--
 26 Concerning a request to the supreme court of the state of
 27 Colorado to render its opinion on questions regarding
 28 House Bill 07-1304.

29

30 (Printed and placed in member's files.)

31

32 Representative Romanoff moved that the resolution be adopted.

33

34 Representative Romanoff moved the following amendment:

35

36 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
 37 March 1, 2007, and placed in member's bill file; Report also printed in
 38 House Journal, March 2, page 659.

39

40 The amendment was declared **passed** by **viva voce** vote.

41

42 Amendment No. 2, moved by Representative Romanoff.

43

44 Amend printed joint resolution, page 3, after line 19, insert the following:

45

46 "WHEREAS, The legal issues raised by House Bill 07-1304 are
 47 not addressed in the private suit entitled *Developmental Pathways, Inc.*
 48 v. *Ritter*, Case No. 07 CV 1353, that seeks to invalidate and enjoin the
 49 enforcement of article XXIX of the state constitution on the grounds that
 50 said article XXIX: 1) Violates the federal constitutional rights of the
 51 plaintiffs to free speech and association, to petition state and local
 52 governments, and under the Due Process and Equal Protection Clauses;
 53 2) interferes with contracts in violation of the federal Contracts Clause;
 54 and 3) was the result of a ballot initiative measure that contained more
 55 than one subject in violation of the state constitution; and".

56

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

	YES	56	NO	06	EXCUSED	03	ABSENT	00
4	Balmer	Y	Gardner B	N	Looper	Y	Rice	Y
5	Benefield	Y	Gardner C	Y	Lundberg	Y	Riesberg	Y
6	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
7	Buescher	Y	Green	Y	Marostica	Y	Rose	N
8	Butcher	Y	Hicks	Y	Marshall	Y	Solano	Y
9	Cadman	Y	Hodge	Y	Massey	Y	Sonnenberg	Y
10	Carroll M	Y	Jahn	Y	May	Y	Soper	Y
11	Carroll T	E	Judd	Y	McFadyen	Y	Stafford	Y
12	Casso	Y	Kefalas	Y	McGihon	E	Stephens	Y
13	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
14	Curry	Y	Kerr J	Y	McNulty	N	Swalm	N
15	Fischer	Y	King	Y	Merrifield	E	Todd	Y
16	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
17	Gagliardi	N	Lambert	Y	Peniston	Y	Weissmann	Y
18	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
19	Garcia	Y	Liston	N	Primavera	Y	Witwer	Y
20							Speaker	Y

21
22 On motion of Representative Romanoff, the resolution as amended was
23 **adopted** by the following roll call vote:

	YES	49	NO	13	EXCUSED	03	ABSENT	00
26	Balmer	Y	Gardner B	N	Looper	N	Rice	Y
27	Benefield	Y	Gardner C	Y	Lundberg	N	Riesberg	Y
28	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
29	Buescher	Y	Green	Y	Marostica	Y	Rose	N
30	Butcher	Y	Hicks	Y	Marshall	Y	Solano	Y
31	Cadman	N	Hodge	Y	Massey	Y	Sonnenberg	N
32	Carroll M	Y	Jahn	Y	May	Y	Soper	Y
33	Carroll T	E	Judd	Y	McFadyen	Y	Stafford	Y
34	Casso	Y	Kefalas	Y	McGihon	E	Stephens	Y
35	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
36	Curry	Y	Kerr J	Y	McNulty	N	Swalm	N
37	Fischer	Y	King	Y	Merrifield	E	Todd	Y
38	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
39	Gagliardi	N	Lambert	N	Peniston	Y	Weissmann	Y
40	Gallegos	Y	Levy	Y	Pommer	Y	White	N
41	Garcia	N	Liston	N	Primavera	Y	Witwer	Y
42							Speaker	Y

43 Co-sponsors added: Representatives Borodkin, Carroll M, Casso, Curry,
44 Fischer, Gallegos, Green, Kerr A, Labuda, Madden, McFadyen, Peniston,
45 Soper, Todd.

46
47
48 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

49
50 **HB07-1018** by Representative(s) Rose, Borodkin, Gardner C., Green,
51 Kerr J., McFadyen, Pommer; also Senator(s) Williams,
52 Hagedorn, Isgar, May R., Spence, Takis--Concerning the
53 scope of jurisdiction of the transportation legislation
54 review committee.

55
56 (Amended as printed in Senate Journal, March 8, page 503)

1 Representative Rose moved that the House **concur** in Senate
 2 amendments. The motion was declared **passed** by the following roll call
 3 vote:

	YES	63	NO	01	EXCUSED	01	ABSENT	00
6	Balmer	Y	Gardner B	Y	Looper	Y	Rice	Y
7	Benefield	Y	Gardner C	Y	Lundberg	Y	Riesberg	Y
8	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
9	Buescher	Y	Green	Y	Marostica	Y	Rose	Y
10	Butcher	Y	Hicks	Y	Marshall	Y	Solano	Y
11	Cadman	Y	Hodge	Y	Massey	Y	Sonnenberg	Y
12	Carroll M	Y	Jahn	Y	May	Y	Soper	Y
13	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	Y
14	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	Y
15	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
16	Curry	Y	Kerr J	Y	McNulty	Y	Swalm	Y
17	Fischer	Y	King	Y	Merrifield	E	Todd	Y
18	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
19	Gagliardi	Y	Lambert	Y	Peniston	Y	Weissmann	N
20	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
21	Garcia	Y	Liston	Y	Primavera	Y	Witwer	Y
22							Speaker	Y

23
 24 The question being, "Shall the bill, as amended, pass?".

25 A roll call vote was taken. As shown by the following recorded vote, a
 26 majority of those elected to the House voted in the affirmative, and the
 27 bill, as amended, was declared **repassed**.

	YES	63	NO	01	EXCUSED	01	ABSENT	00
30	Balmer	Y	Gardner B	Y	Looper	Y	Rice	Y
31	Benefield	Y	Gardner C	Y	Lundberg	Y	Riesberg	Y
32	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
33	Buescher	Y	Green	Y	Marostica	Y	Rose	Y
34	Butcher	Y	Hicks	Y	Marshall	Y	Solano	Y
35	Cadman	Y	Hodge	Y	Massey	Y	Sonnenberg	Y
36	Carroll M	Y	Jahn	Y	May	Y	Soper	Y
37	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	Y
38	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	Y
39	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
40	Curry	Y	Kerr J	Y	McNulty	Y	Swalm	Y
41	Fischer	Y	King	Y	Merrifield	E	Todd	Y
42	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
43	Gagliardi	Y	Lambert	Y	Peniston	Y	Weissmann	N
44	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
45	Garcia	Y	Liston	Y	Primavera	Y	Witwer	Y
46							Speaker	Y

47
 48 **HB07-1285** by Representative(s) Rice; also Senator(s) Veiga--
 49 Concerning the method for determining the timeliness of
 50 matters filed with the department of labor and employment
 51 under the "Colorado Employment Security Act".

52
 53 (Amended as printed in Senate Journal, March 9, page 515)
 54
 55

1 Representative Rice moved that the House **concur** in Senate amendments.
 2 A substitute motion by Representative Weissmann that the House **not**
 3 **concur** in Senate amendments and that a Conference Committee be
 4 appointed was declared **passed** by the following roll call vote:

	YES	50	NO	14	EXCUSED	01	ABSENT	00
7	Balmer	Y	Gardner B	Y	Looper	Y	Rice	N
8	Benefield	N	Gardner C	Y	Lundberg	Y	Riesberg	Y
9	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
10	Buescher	Y	Green	Y	Marostica	Y	Rose	Y
11	Butcher	Y	Hicks	Y	Marshall	N	Solano	Y
12	Cadman	Y	Hodge	Y	Massey	N	Sonnenberg	Y
13	Carroll M	Y	Jahn	N	May	Y	Soper	Y
14	Carroll T	Y	Judd	N	McFadyen	N	Stafford	Y
15	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	Y
16	Cerbo	N	Kerr A	N	McKinley	Y	Summers	Y
17	Curry	Y	Kerr J	Y	McNulty	N	Swalm	Y
18	Fischer	Y	King	Y	Merrifield	E	Todd	Y
19	Frangas	Y	Labuda	Y	Mitchell	N	Vaad	Y
20	Gagliardi	N	Lambert	Y	Peniston	Y	Weissmann	Y
21	Gallegos	Y	Levy	Y	Pommer	N	White	Y
22	Garcia	Y	Liston	N	Primavera	Y	Witwer	Y
23							Speaker	Y

24 The Speaker appointed Representatives Rice, Chairman, Marshall
 25 Marostica as House conferees to the bill.

26
 27 **HB07-1197** by Representative(s) Fischer; also Senator(s) Bacon--
 28 Concerning the authority of a county to abate conditions
 29 that contribute to a violation of a general stormwater
 30 quality permit issued to the county by the department of
 31 public health and environment.

32
 33 (Amended as printed in Senate Journal, March 9, page 516)

34
 35 Representative Fischer moved that the House **concur** in Senate
 36 amendments. The motion was declared **passed** by the following roll call
 37 vote:

	YES	64	NO	00	EXCUSED	01	ABSENT	00
40	Balmer	Y	Gardner B	Y	Looper	Y	Rice	Y
41	Benefield	Y	Gardner C	Y	Lundberg	Y	Riesberg	Y
42	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
43	Buescher	Y	Green	Y	Marostica	Y	Rose	Y
44	Butcher	Y	Hicks	Y	Marshall	Y	Solano	Y
45	Cadman	Y	Hodge	Y	Massey	Y	Sonnenberg	Y
46	Carroll M	Y	Jahn	Y	May	Y	Soper	Y
47	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	Y
48	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	Y
49	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
50	Curry	Y	Kerr J	Y	McNulty	Y	Swalm	Y
51	Fischer	Y	King	Y	Merrifield	E	Todd	Y
52	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
53	Gagliardi	Y	Lambert	Y	Peniston	Y	Weissmann	Y
54	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
55	Garcia	Y	Liston	Y	Primavera	Y	Witwer	Y
56							Speaker	Y

1 The question being, "Shall the bill, as amended, pass?"
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative, and the
 4 bill, as amended, was declared **repassed**.

5	YES	64	NO	00	EXCUSED	01	ABSENT	00
6	Balmer	Y	Gardner B	Y	Looper	Y	Rice	Y
7	Benefield	Y	Gardner C	Y	Lundberg	Y	Riesberg	Y
8	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
9	Buescher	Y	Green	Y	Marostica	Y	Rose	Y
10	Butcher	Y	Hicks	Y	Marshall	Y	Solano	Y
11	Cadman	Y	Hodge	Y	Massey	Y	Sonnenberg	Y
12	Carroll M	Y	Jahn	Y	May	Y	Soper	Y
13	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	Y
14	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	Y
15	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
16	Curry	Y	Kerr J	Y	McNulty	Y	Swalm	Y
17	Fischer	Y	King	Y	Merrifield	E	Todd	Y
18	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
19	Gagliardi	Y	Lambert	Y	Peniston	Y	Weissmann	Y
20	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
21	Garcia	Y	Liston	Y	Primavera	Y	Witwer	Y
22							Speaker	Y
23								

24
 25 **HB07-1195** by Representative(s) Gagliardi; also Senator(s) Boyd--
 26 Concerning the authority of the governing body of a local government
 27 that participates in a local government
 28 retirement system to determine the contribution rates for
 29 the system in which it participates.

30
 31 (Amended as printed in Senate Journal, March 9, page 517)
 32
 33 Representative Gagliardi moved that the House **concur** in Senate
 34 amendments. The motion was declared **passed** by the following roll call
 35 vote:

36	YES	64	NO	00	EXCUSED	01	ABSENT	00
37	Balmer	Y	Gardner B	Y	Looper	Y	Rice	Y
38	Benefield	Y	Gardner C	Y	Lundberg	Y	Riesberg	Y
39	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
40	Buescher	Y	Green	Y	Marostica	Y	Rose	Y
41	Butcher	Y	Hicks	Y	Marshall	Y	Solano	Y
42	Cadman	Y	Hodge	Y	Massey	Y	Sonnenberg	Y
43	Carroll M	Y	Jahn	Y	May	Y	Soper	Y
44	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	Y
45	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	Y
46	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
47	Curry	Y	Kerr J	Y	McNulty	Y	Swalm	Y
48	Fischer	Y	King	Y	Merrifield	E	Todd	Y
49	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
50	Gagliardi	Y	Lambert	Y	Peniston	Y	Weissmann	Y
51	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
52	Garcia	Y	Liston	Y	Primavera	Y	Witwer	Y
53							Speaker	Y
54								

55
 56

1 The question being, "Shall the bill, as amended, pass?"
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative, and the
 4 bill, as amended, was declared **repassed**.

	YES	63	NO	01	EXCUSED	01	ABSENT	00
7	Balmer	Y	Gardner B	Y	Looper	Y	Rice	Y
8	Benefield	Y	Gardner C	Y	Lundberg	Y	Riesberg	Y
9	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
10	Buescher	Y	Green	Y	Marostica	Y	Rose	Y
11	Butcher	Y	Hicks	Y	Marshall	Y	Solano	Y
12	Cadman	Y	Hodge	Y	Massey	Y	Sonnenberg	Y
13	Carroll M	Y	Jahn	Y	May	Y	Soper	Y
14	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	Y
15	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	Y
16	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
17	Curry	Y	Kerr J	Y	McNulty	Y	Swalm	Y
18	Fischer	Y	King	Y	Merrifield	E	Todd	Y
19	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
20	Gagliardi	Y	Lambert	Y	Peniston	Y	Weissmann	N
21	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
22	Garcia	Y	Liston	Y	Primavera	Y	Witwer	Y
23							Speaker	Y

24
 25 **HB07-1009** by Representative(s) White, Buescher; also Senator(s)
 26 Isgar, Taylor--Concerning the repeal of the limitation on
 27 the transfer of limited gaming revenues when general fund
 28 revenues are insufficient to allow the maximum amount of
 29 general fund appropriations permitted by law.

30
 31 (Amended as printed in Senate Journal, March 12, page 528.)

32
 33 Representative White moved that the House **concur** in Senate
 34 amendments. The motion was declared **passed** by the following roll call
 35 vote:

	YES	64	NO	00	EXCUSED	01	ABSENT	00
38	Balmer	Y	Gardner B	Y	Looper	Y	Rice	Y
39	Benefield	Y	Gardner C	Y	Lundberg	Y	Riesberg	Y
40	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
41	Buescher	Y	Green	Y	Marostica	Y	Rose	Y
42	Butcher	Y	Hicks	Y	Marshall	Y	Solano	Y
43	Cadman	Y	Hodge	Y	Massey	Y	Sonnenberg	Y
44	Carroll M	Y	Jahn	Y	May	Y	Soper	Y
45	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	Y
46	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	Y
47	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
48	Curry	Y	Kerr J	Y	McNulty	Y	Swalm	Y
49	Fischer	Y	King	Y	Merrifield	E	Todd	Y
50	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
51	Gagliardi	Y	Lambert	Y	Peniston	Y	Weissmann	Y
52	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
53	Garcia	Y	Liston	Y	Primavera	Y	Witwer	Y
54							Speaker	Y

1 The question being, "Shall the bill, as amended, pass?"
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative, and the
 4 bill, as amended, was declared **repassed**.

	YES	52	NO	12	EXCUSED	01	ABSENT	00
7	Balmer	N	Gardner B	N	Looper	N	Rice	Y
8	Benefield	Y	Gardner C	N	Lundberg	N	Riesberg	Y
9	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
10	Buescher	Y	Green	Y	Marostica	Y	Rose	Y
11	Butcher	Y	Hicks	Y	Marshall	Y	Solano	Y
12	Cadman	N	Hodge	Y	Massey	Y	Sonnenberg	Y
13	Carroll M	Y	Jahn	Y	May	Y	Soper	Y
14	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	Y
15	Casso	Y	Kefalas	Y	McGihon	N	Stephens	N
16	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
17	Curry	Y	Kerr J	Y	McNulty	Y	Swalm	Y
18	Fischer	Y	King	Y	Merrifield	E	Todd	Y
19	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	N
20	Gagliardi	Y	Lambert	N	Peniston	Y	Weissmann	N
21	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
22	Garcia	N	Liston	Y	Primavera	Y	Witwer	Y
23							Speaker	Y

24 Co-sponsor added: Representative Labuda.

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28 REPORTS OF COMMITTEES OF REFERENCE

29

30 **JUDICIARY**

31 After consideration on the merits, the Committee recommends the
 32 following:

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34 **HB07-1326** be amended as follows, and as so amended, be referred to
 35 the Committee on Appropriations with favorable
 36 recommendation:

37

38 Amend printed bill, page 2, strike lines 7 and 8 and substitute the
 39 following:

40

41 "CONVICTED OF A CHILD SEX CRIME";

42

43 line 9, strike "ANY EMAIL ADDRESS," and substitute "ALL EMAIL
 44 ADDRESSES,";

45

46 strike lines 10 and 11 and substitute the following:

47

48 "INSTANT-MESSAGING IDENTITIES, OR CHAT ROOM IDENTITIES PRIOR TO
 49 USING THE ADDRESS OR IDENTITY.";

50

51 after line 21, insert the following:

52

53 "(c) FOR PURPOSES OF THIS SECTION, "CHILD SEX CRIME" MEANS
 54 SEXUAL ASSAULT ON A CHILD, AS DESCRIBED IN SECTION 18-3-405, C.R.S.;
 55 SEXUAL ASSAULT ON A CHILD BY ONE IN A POSITION OF TRUST, AS
 56 DESCRIBED IN SECTION 18-3-405.3, C.R.S.; UNLAWFUL SEXUAL CONTACT,

1 AS DESCRIBED IN SECTION 18-3-404 (1.5), C.R.S.; ENTICEMENT OF A
2 CHILD, AS DESCRIBED IN SECTION 18-3-305, C.R.S.; AGGRAVATED INCEST,
3 AS DESCRIBED IN SECTION 18-6-302 (1) (b), C.R.S.; TRAFFICKING IN
4 CHILDREN, AS DESCRIBED IN SECTION 18-6-402, C.R.S.; SEXUAL
5 EXPLOITATION OF CHILDREN, AS DESCRIBED IN SECTION 18-6-403, C.R.S.;
6 PROCUREMENT OF A CHILD FOR SEXUAL EXPLOITATION, AS DESCRIBED IN
7 SECTION 18-6-404, C.R.S.; SOLICITING FOR CHILD PROSTITUTION, AS
8 DESCRIBED IN SECTION 18-7-402, C.R.S.; PANDERING OF A CHILD, AS
9 DESCRIBED IN SECTION 18-7-403, C.R.S.; PROCUREMENT OF A CHILD, AS
10 DESCRIBED IN SECTION 18-7-403.5, C.R.S.; KEEPING A PLACE OF CHILD
11 PROSTITUTION, AS DESCRIBED IN SECTION 18-7-404, C.R.S.; PIMPING OF A
12 CHILD, AS DESCRIBED IN SECTION 18-7-405, C.R.S.; INDUCEMENT OF CHILD
13 PROSTITUTION, AS DESCRIBED IN SECTION 18-7-405.5, C.R.S.;
14 PATRONIZING A PROSTITUTED CHILD, AS DESCRIBED IN SECTION 18-7-406,
15 C.R.S.; INTERNET LURING OF A CHILD, AS DESCRIBED IN SECTION 18-3-306,
16 C.R.S.; INTERNET SEXUAL EXPLOITATION OF A CHILD, AS DESCRIBED IN
17 SECTION 18-3-405.4, C.R.S.; WHOLESALE PROMOTION OF OBSCENITY TO
18 A MINOR, AS DESCRIBED IN SECTION 18-7-102 (1.5), C.R.S.; PROMOTION OF
19 OBSCENITY TO A MINOR, AS DESCRIBED IN SECTION 18-7-102 (2.5), C.R.S.;
20 SEXUAL ASSAULT, AS DESCRIBED IN SECTION 18-3-402 (1) (d) AND (1) (e),
21 C.R.S.; SEXUAL ASSAULT IN THE SECOND DEGREE AS IT EXISTED PRIOR TO
22 JULY 1, 2000, AS DESCRIBED IN SECTION 18-3-403 (1) (e) AND (1) (e.5),
23 C.R.S.; OR CRIMINAL ATTEMPT, CONSPIRACY, OR SOLICITATION TO COMMIT
24 ANY OF THE ACTS SPECIFIED IN THIS PARAGRAPH (c).".

25

26 Page 3, line 10, strike "THAT HE OR SHE INTENDS TO USE".

27

28 Page 4, line 14, strike "THAT THE PERSON INTENDS TO USE".

29

30

31

32 **SB07-113** be referred favorably to the Committee on Appropriations.

33

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37 **LOCAL GOVERNMENT**

38 After consideration on the merits, the Committee recommends the
39 following:

40

41 **HB07-1334** be referred to the Committee of the Whole with favorable
42 recommendation.

43

44

45 **SB07-090** be amended as follows, and as so amended, be referred to
46 the Committee of the Whole with favorable
47 recommendation:

48

49 Amend reengrossed bill, page 2, strike lines 15 through 20 and substitute
50 the following:

51

52 "THE VACATED ROADWAY SHALL VEST, SUBJECT TO A PUBLIC-ACCESS
53 EASEMENT OR PRIVATE-ACCESS EASEMENT TO BENEFIT DESIGNATED
54 PROPERTIES, IN THE OWNER OF THE LAND ABUTTING THE VACATED
55 ROADWAY, IN OTHER OWNERS OF LAND WHO USE THE VACATED ROADWAY
56 AS ACCESS TO THE OWNERS' LAND, OR IN A LEGAL ENTITY THAT

1 REPRESENTS ANY OWNERS OF LAND WHO USE THE VACATED ROADWAY AS
2 ACCESS TO THE OWNERS' LAND. TITLE SHALL VEST TO THE OWNER OF THE
3 LAND ABUTTING THE VACATED ROADWAY AS OTHERWISE REQUIRED BY
4 PARAGRAPHS (a) TO (d) OF THIS SUBSECTION (1), UNLESS THE BOARD
5 EXPRESSLY REQUIRES THE TITLE TO VEST PURSUANT TO THE AUTHORITY
6 SET FORTH IN THIS PARAGRAPH (f) IN THE RESOLUTION TO VACATE THE
7 ROADWAY THAT IS APPROVED BY THE BOARD.".

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SB07-153 be referred to the Committee of the Whole with favorable recommendation.

TRANSPORTATION & ENERGY

After consideration on the merits, the Committee recommends the following:

SB07-027 be referred favorably to the Committee on Appropriations.

SB07-070 be referred favorably to the Committee on Appropriations.

SB07-077 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 26, strike "JULY 1, 2006," and substitute "THE EFFECTIVE DATE OF THIS ACT,".

Page 5, strike lines 2 through 4.

Renumber succeeding section accordingly.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB07-1346, 1347.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SB07-159, 160, 161, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181; SJR07-023.**

House in recess. House reconvened.

REPORT OF COMMITTEE OF REFERENCE**FINANCE**

After consideration on the merits, the Committee recommends the following:

HB07-1325 be referred favorably to the Committee on Appropriations.

SB07-037 be referred to the Committee of the Whole with favorable recommendation.

SB07-045 be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE SENATE

The Senate has passed on Third Reading and returns herewith HB07-1261, HB07-1049, HB07-1260, and HB07-1259.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: HB07-1208, as amended on Third Reading, March 14, 2007.

The Senate has adopted and transmits herewith: SJM07-003, as amended on March 14, 2007.

The Senate voted to concur in House amendments to SB07-115, and SB07-64 and repassed the bills as amended.

The Senate voted to concur in House amendments to SJR-014, and repassed the resolution as amended.

MESSAGE FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB07-1208.

**INTRODUCTION OF BILL
First Reading**

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

HB07-1348 by Representative(s) Massey and Merrifield; also Senator(s) Windels--Concerning an extension of the term of initial school district accreditation contracts.

Committee on Education

1 **INTRODUCTION OF MEMORIAL**
2

3 The following memorial was read by title and laid over one day under the
4 rules:

5 **SJM07-003** by Senator(s) Sandoval, Boyd; also Representative(s)
6 Riesberg--Concerning the 2007 Farm Bill, and, in
7 connection therewith, continuing support for the federal
8 food stamp program.
9

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13 **LAY OVER OF CALENDAR ITEMS**
14

15 On motion of Representative Madden, the following items on the
16 Calendar were laid over until March 15, retaining place on Calendar:

17 Consideration of General Orders--**HB07-1176, 1318, 1023, 1008,**
18 **SB07-140, HB07-1069, 1169, 1323, SB07-183, 194.**

19 Consideration of Resolutions--**HJR07-1020, 1021, HR07-1008.**

20 Consideration of Memorial--**SJM07-001.**

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25 On motion of Representative Garcia, the House adjourned until 9:00 a.m.,
26 March 15, 2007.

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Approved:
ANDREW ROMANOFF,
Speaker

31 Attest:

32 MARIYN EDDINS,
33 Chief Clerk