

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

Seventy-sixth Legislative Day

Monday, March 26, 2007

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Marisa Weissmann, Louisville Elementary
6 School.
7
8 The roll was called with the following result:
9
10 Present--65.

11
12 The Speaker declared a quorum present.
13
14

15 On motion of Representative Lambert, the reading of the journal of
16 March 23, 2007, was declared dispensed with and approved as corrected
17 by the Chief Clerk.
18
19
20

THIRD READING OF BILLS--FINAL PASSAGE

21
22
23 The following bills were considered on Third Reading. The titles were
24 publicly read. Reading of the bill at length was dispensed with by
25 unanimous consent.
26

27 **SB07-023** by Senator(s) Hagedorn; also Representative(s) McGihon--
28 Concerning restricting access by a minor to an artificial
29 tanning device.
30

31 The question being "Shall the bill pass?".
32 A roll call vote was taken. As shown by the following recorded vote, less
33 than a majority of those elected to the House voted in the affirmative and
34 the bill was declared **lost**.
35

YES	27	NO	38	EXCUSED	00	ABSENT	00
Balmer	N	Gardner B	N	Looper	N	Rice	Y
Benefield	Y	Gardner C	N	Lundberg	N	Riesberg	N
Borodkin	Y	Gibbs	N	Madden	Y	Roberts	N
Buescher	N	Green	Y	Marostica	N	Rose	N
Butcher	Y	Hicks	N	Marshall	N	Solano	Y
Cadman	N	Hodge	Y	Massey	N	Sonnenberg	N
Carroll M	Y	Jahn	N	May	N	Soper	Y

1	Carroll T	N	Judd	Y	McFadyen	Y	Stafford	N
2	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	N
3	Cerbo	Y	Kerr A	Y	McKinley	N	Summers	N
4	Curry	N	Kerr J	N	McNulty	N	Swalm	N
5	Fischer	Y	King	N	Merrifield	Y	Todd	Y
6	Frangas	Y	Labuda	Y	Mitchell	N	Vaad	N
7	Gagliardi	Y	Lambert	N	Peniston	Y	Weissmann	N
8	Gallegos	N	Levy	N	Pommer	Y	White	N
9	Garcia	N	Liston	N	Primavera	Y	Witwer	N
10							Speaker	Y

11

12 **HB07-1069** by Representative(s) McKinley; also Senator(s) Kester--
 13 Concerning withdrawal of the consent given by the state
 14 to the federal government for the acquisition of land
 15 within the state for military training purposes by means of
 16 eminent domain.

17

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

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

22

23	YES	56	NO	09	EXCUSED	00	ABSENT	00
24	Balmer	N	Gardner B	N	Looper	Y	Rice	N
25	Benefield	Y	Gardner C	Y	Lundberg	Y	Riesberg	Y
26	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
27	Buescher	Y	Green	Y	Marostica	Y	Rose	N
28	Butcher	Y	Hicks	N	Marshall	Y	Solano	Y
29	Cadman	Y	Hodge	Y	Massey	Y	Sonnenberg	Y
30	Carroll M	Y	Jahn	Y	May	N	Soper	Y
31	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	Y
32	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	N
33	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
34	Curry	Y	Kerr J	Y	McNulty	Y	Swalm	N
35	Fischer	Y	King	Y	Merrifield	Y	Todd	Y
36	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
37	Gagliardi	Y	Lambert	Y	Peniston	Y	Weissmann	Y
38	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
39	Garcia	Y	Liston	N	Primavera	Y	Witwer	Y
40							Speaker	Y

41 Co-sponsors added: Representatives Borodkin, Buescher, Butcher, Carroll T,
 42 Casso, Cerbo, Curry, Gallegos, Green, Jahn, Kerr A, King, Labuda, Madden,
 43 Marshall, McFadyen, Pommer.

44

45 **SB07-136** by Senator(s) Morse; also Representative(s) Romanoff--
 46 Concerning the jurisdiction of courts to enter orders for the
 47 protection of persons.

48

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

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

53

54	YES	65	NO	00	EXCUSED	00	ABSENT	00
55	Balmer	Y	Gardner B	Y	Looper	Y	Rice	Y
56	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	Y	Summers	Y
9	Curry	Y	Kerr J	Y	McNulty	Y	Swalm	Y
10	Fischer	Y	King	Y	Merrifield	Y	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	Y
14	Garcia	Y	Liston	Y	Primavera	Y	Witwer	Y
15							Speaker	Y

16 Co-sponsors added: Representatives Carroll T, Frangas, Green, Jahn, Kerr A,
17 Labuda, Levy, Madden, Marshall, Merrifield, Roberts, Solano, Stafford,
18 Stephens, Summers.

19
20 **HB07-1141** by Representative(s) Todd, Stafford; also Senator(s)
21 Williams, Groff, Hagedorn, Tapia--Concerning purchases
22 of commodity metals.

23
24 The question being "Shall the bill 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 bill
27 was declared **passed**.

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

46
47 Co-sponsors added: Representatives Butcher, Frangas.

48
49 **HB07-1217** by Representative(s) Buescher, Pommer, White; also
50 Senator(s) Johnson, Tapia, Keller--Concerning the
51 collection of fines from state parks.

52
53 The question being "Shall the bill pass?".
54 A roll call vote was taken. As shown by the following recorded vote, a
55 majority of those elected to the House voted in the affirmative and the bill
56 was declared **passed**.

	YES	48	NO	17	EXCUSED	00	ABSENT	00
1	Balmer	N	Gardner B	N	Looper	N	Rice	Y
2	Benefield	Y	Gardner C	N	Lundberg	N	Riesberg	Y
3	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
4	Buescher	Y	Green	Y	Marostica	Y	Rose	N
5	Butcher	Y	Hicks	N	Marshall	Y	Solano	Y
6	Cadman	N	Hodge	Y	Massey	Y	Sonnenberg	N
7	Carroll M	Y	Jahn	Y	May	N	Soper	Y
8	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	Y
9	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	N
10	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
11	Curry	Y	Kerr J	N	McNulty	N	Swalm	N
12	Fischer	Y	King	N	Merrifield	Y	Todd	Y
13	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
14	Gagliardi	Y	Lambert	N	Peniston	Y	Weissmann	Y
15	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
16	Garcia	Y	Liston	N	Primavera	Y	Witwer	Y
17							Speaker	Y

18
19 Co-sponsors added: Representatives Garcia, Labuda, Merrifield.

20
21 **HB07-1249** by Representative(s) Primavera; also Senator(s) Spence--
22 Concerning regulation of movers of household goods, and
23 making an appropriation therefor.
24

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

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

	YES	45	NO	20	EXCUSED	00	ABSENT	00
30	Balmer	N	Gardner B	N	Looper	N	Rice	Y
31	Benefield	Y	Gardner C	N	Lundberg	N	Riesberg	Y
32	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	N
33	Buescher	Y	Green	Y	Marostica	Y	Rose	Y
34	Butcher	N	Hicks	N	Marshall	Y	Solano	Y
35	Cadman	N	Hodge	Y	Massey	Y	Sonnenberg	N
36	Carroll M	Y	Jahn	Y	May	N	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	N	Summers	N
40	Curry	Y	Kerr J	N	McNulty	Y	Swalm	N
41	Fischer	Y	King	N	Merrifield	Y	Todd	Y
42	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
43	Gagliardi	Y	Lambert	N	Peniston	Y	Weissmann	N
44	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
45	Garcia	Y	Liston	N	Primavera	Y	Witwer	N
46							Speaker	Y

47
48 Co-sponsors added: Representatives Borodkin, McGihon, Todd.
49

50 **HB07-1263** by Representative(s) Rice; also Senator(s) Morse--
51 Concerning authority for the division of criminal justice to
52 charge a fee for training, and making an appropriation
53 therefor.
54

55 The question being "Shall the bill pass?".
56

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

	YES	63	NO	02	EXCUSED	00	ABSENT	00
6	Balmer	Y	Gardner B	Y	Looper	N	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	N	Summers	Y
16	Curry	Y	Kerr J	Y	McNulty	Y	Swalm	Y
17	Fischer	Y	King	Y	Merrifield	Y	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 Co-sponsors added: Representatives Carroll T, King, Labuda.

24
25 **HB07-1081** by Representative(s) Marostica; also Senator(s) Tochtrop--
26 Concerning the sale of powersports vehicles, and, in
27 connection therewith, requiring powersports vehicles to be
28 sold only by persons licensed by the motor vehicle dealer
29 board, and making an appropriation therefor.

30
31 The question being "Shall the bill pass?".

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

	YES	37	NO	27	EXCUSED	01	ABSENT	00
37	Balmer	Y	Gardner B	N	Looper	N	Rice	Y
38	Benefield	N	Gardner C	E	Lundberg	N	Riesberg	Y
39	Borodkin	Y	Gibbs	Y	Madden	N	Roberts	Y
40	Buescher	Y	Green	Y	Marostica	Y	Rose	N
41	Butcher	Y	Hicks	Y	Marshall	Y	Solano	N
42	Cadman	N	Hodge	Y	Massey	Y	Sonnenberg	N
43	Carroll M	N	Jahn	Y	May	N	Soper	Y
44	Carroll T	N	Judd	Y	McFadyen	Y	Stafford	Y
45	Casso	Y	Kefalas	Y	McGihon	N	Stephens	Y
46	Cerbo	Y	Kerr A	Y	McKinley	N	Summers	N
47	Curry	Y	Kerr J	Y	McNulty	Y	Swalm	N
48	Fischer	N	King	Y	Merrifield	Y	Todd	Y
49	Frangas	Y	Labuda	N	Mitchell	Y	Vaad	N
50	Gagliardi	N	Lambert	N	Peniston	Y	Weissmann	N
51	Gallegos	N	Levy	N	Pommer	Y	White	Y
52	Garcia	N	Liston	N	Primavera	Y	Witwer	N
53							Speaker	Y

54 Representative Gardner C. excused from voting under House Rule 21(c).

55 Co-sponsors added: Representatives Butcher, Kerr J, McFadyen.

56

1 **HB07-1340** by Representative(s) Gardner B.; also Senator(s) Veiga--
 2 Concerning modifications to the guidelines contained in
 3 part 3 of article 4.1 of title 24, Colorado Revised Statutes,
 4 that ensure crime victims are able to participate in the
 5 criminal justice process.
 6

7 The question being "Shall the bill pass?".
 8 A roll call vote was taken. As shown by the following recorded vote, a
 9 majority of those elected to the House voted in the affirmative and the
 10 bill was declared **passed**.
 11

	YES	65	NO	00	EXCUSED	00	ABSENT	00
13	Balmer	Y	Gardner B	Y	Looper	Y	Rice	Y
14	Benefield	Y	Gardner C	Y	Lundberg	Y	Riesberg	Y
15	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
16	Buescher	Y	Green	Y	Marostica	Y	Rose	Y
17	Butcher	Y	Hicks	Y	Marshall	Y	Solano	Y
18	Cadman	Y	Hodge	Y	Massey	Y	Sonnenberg	Y
19	Carroll M	Y	Jahn	Y	May	Y	Soper	Y
20	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	Y
21	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	Y
22	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
23	Curry	Y	Kerr J	Y	McNulty	Y	Swalm	Y
24	Fischer	Y	King	Y	Merrifield	Y	Todd	Y
25	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
26	Gagliardi	Y	Lambert	Y	Peniston	Y	Weissmann	Y
27	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
28	Garcia	Y	Liston	Y	Primavera	Y	Witwer	Y
29							Speaker	Y

30 Co-sponsors added: Representatives Butcher, Carroll T, Frangas, Green, Hicks,
 31 Jahn, Kerr J, Marshall, Solano, Stafford, Speaker.
 32

33 **HB07-1347** by Representative(s) Kerr A., Frangas, Gibbs, McGihon,
 34 Pommer; also Senator(s) Shaffer, Gordon, Morse,
 35 Sandoval, Tochtrop--Concerning the immunization
 36 tracking system in Colorado, and, in connection therewith,
 37 authorizing the department of public health and
 38 environment to address issues related to access to the
 39 existing immunization registry.
 40

41 The question being "Shall the bill pass?".
 42 A roll call vote was taken. As shown by the following recorded vote, a
 43 majority of those elected to the House voted in the affirmative and the bill
 44 was declared **passed**.
 45

	YES	48	NO	17	EXCUSED	00	ABSENT	00
47	Balmer	N	Gardner B	N	Looper	N	Rice	Y
48	Benefield	Y	Gardner C	N	Lundberg	N	Riesberg	Y
49	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
50	Buescher	Y	Green	Y	Marostica	Y	Rose	N
51	Butcher	Y	Hicks	N	Marshall	Y	Solano	Y
52	Cadman	N	Hodge	Y	Massey	Y	Sonnenberg	N
53	Carroll M	Y	Jahn	Y	May	N	Soper	Y
54	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	Y
55	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	N
56	Cerbo	Y	Kerr A	Y	McKinley	N	Summers	N

1	Curry	Y	Kerr J	Y	McNulty	N	Swalm	Y
2	Fischer	Y	King	N	Merrifield	Y	Todd	Y
3	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
4	Gagliardi	Y	Lambert	N	Peniston	Y	Weissmann	Y
5	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
6	Garcia	Y	Liston	N	Primavera	Y	Witwer	Y
7							Speaker	Y

8 Co-sponsors added: Representatives Casso, Gagliardi, Green, Labuda, Levy,
9 Madden, Marshall, Merrifield, Roberts, Todd, Speaker.

10

11 **SB07-200** by Senator(s) Isgar, Kester, Penry, Taylor; also
12 Representative(s) Buescher, Curry, McFadyen, Rose,
13 White--Concerning uranium mill tailing remedial action.
14

15

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

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

19

20	YES	63	NO	02	EXCUSED	00	ABSENT	00
21	Balmer	Y	Gardner B	Y	Looper	Y	Rice	Y
22	Benefield	Y	Gardner C	Y	Lundberg	N	Riesberg	Y
23	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
24	Buescher	Y	Green	Y	Marostica	Y	Rose	Y
25	Butcher	Y	Hicks	Y	Marshall	Y	Solano	Y
26	Cadman	Y	Hodge	Y	Massey	Y	Sonnenberg	Y
27	Carroll M	Y	Jahn	Y	May	Y	Soper	Y
28	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	Y
29	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	Y
30	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
31	Curry	Y	Kerr J	Y	McNulty	Y	Swalm	Y
32	Fischer	Y	King	Y	Merrifield	Y	Todd	Y
33	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
34	Gagliardi	Y	Lambert	N	Peniston	Y	Weissmann	Y
35	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
36	Garcia	Y	Liston	Y	Primavera	Y	Witwer	Y
37							Speaker	Y

38

38 Co-sponsors added: Representatives Frangas, Merrifield, Primavera.

39

40

41 On motion of Representative Garcia, **SB07-207, HB07-1298, 1284,**
42 **SB07-197** were added to the Special Orders Calendar on Monday,
43 March 26, 2007.

44

45

46 On motion of Representative Carroll T., the House resolved itself into
47 Committee of the Whole for consideration of Special Orders and he was
48 called to the Chair to act as Chairman.

49

50

51 SPECIAL ORDERS--SECOND READING OF BILLS

52

53 The Committee of the Whole having risen, the Chairman reported the
54 titles of the following bills had been read (reading at length had been
55 dispensed with by unanimous consent), the bills considered and action
56 taken thereon as follows:

1 (Amendments to the committee amendment are to the printed committee
2 report which was printed and placed in the members' bill file.)
3

4 **HB07-1336** by Representative(s) McGihon; also Senator Bacon--
5 Concerning reporting requirements to the committees of
6 the general assembly, and, in connection therewith,
7 repealing certain reporting requirements pursuant to the
8 Colorado "Information Coordination Act".
9

10 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
11 March 22, 2007, and placed in member's bill file; Report also printed in
12 House Journal, March 22, page 931.
13

14 Amendment No. 2, by Representative McGihon.

15
16 Amend printed bill, page 6, strike lines 11 through 19.

17
18 Renumber succeeding sections accordingly.
19

20 Amendment No. 3, by Representative Solano.

21
22 Amend printed bill, page 7, strike lines 6 through 27.
23

24 Page 8, strike lines 1 through 18.

25
26 Renumber succeeding sections accordingly.
27

28 Amendment No. 4, by Representatives Borodkin, McFadyen.

29
30 Amend printed bill, page 15, strike lines 5 through 25.
31

32 Renumber succeeding sections accordingly.
33

34 Amendment No. 5, by Representative McFadyen.

35
36 Amend printed bill, page 14, strike lines 17 through 27.
37

38 Page 15, strike lines 1 through 4.

39
40 Renumber succeeding sections accordingly.
41

42 As amended, ordered engrossed and placed on the Calendar for Third
43 Reading and Final Passage.
44

45 **SB07-034** by Senator(s) Morse; also Representative(s) Madden--
46 Concerning clarification of residency status for the
47 purpose of granting reciprocity to concealed weapons
48 permits issued by states other than Colorado.
49

50 Ordered revised and placed on the Calendar for Third Reading and Final
51 Passage.
52

53
54 **SB07-154** by Senator(s) Morse; also Representative(s) Riesberg--
55 Concerning the authority of a law enforcement officer
56 under the express consent law to request a driver to take a

1 test other than the test elected by the driver for the purpose
2 of determining the driver's alcohol content.
3

4 Ordered revised and placed on the Calendar for Third Reading and Final
5 Passage.
6

7 **SB07-124** by Senator(s) Isgar; also Representative(s) Marshall--
8 Concerning revisions to the "Colorado Housing and
9 Finance Authority Act".
10

11 Ordered revised and placed on the Calendar for Third Reading and Final
12 Passage.
13

14 **SB07-202** by Senator(s) Windels, Bacon, Penry; also
15 Representative(s) McFadyen, Riesberg, Witwer--
16 Concerning forecasts by the capital development
17 committee.
18

19 Ordered revised and placed on the Calendar for Third Reading and Final
20 Passage.
21

22 **SB07-152** by Senator(s) Schwartz; also Representative(s) Balmer--
23 Concerning volunteer services by dental professionals who
24 hold a license in good standing from another state.
25

26 Ordered revised and placed on the Calendar for Third Reading and Final
27 Passage.
28

29 **SB07-207** by Senator(s) Schwartz; also Representative(s)
30 Sonnenberg--Concerning the "Colorado Feed Law".
31

32 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
33 dated March 21, 2007, and placed in member's bill file; Report also
34 printed in House Journal, March 22, pages 919-920.
35

36 As amended, ordered revised and placed on the Calendar for Third
37 Reading and Final Passage.
38

39 **HB07-1298** by Representative(s) Gibbs; also Senator(s) Tochtrop--
40 Concerning the conservation of wildlife habitat in
41 connection with the development of oil and gas.
42

43 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
44 dated February 20, 2007, and placed in member's bill file; Report also
45 printed in House Journal, February 21, page 480.
46

47 Amendment No. 2, Appropriations Report, dated March 23, 2007, and
48 placed in member's bill file; Report also printed in House Journal,
49 March 23, page 941.
50

51 Amendment No. 3, by Representative Gibbs.
52

53 Amend printed bill, page 4, after line 24, insert the following:
54

55 "(b) PROVIDE FOR COMMISSION CONSULTATION AND CONSENT OF
56 THE AFFECTED SURFACE OWNER, OR THE SURFACE OWNER'S APPOINTED

1 TENANT, ON PERMIT-SPECIFIC CONDITIONS FOR WILDLIFE HABITAT
2 PROTECTION. SUCH CONDITIONS SHALL BE DISCONTINUED WHEN FINAL
3 RECLAMATION HAS OCCURRED."

4
5 Reletter succeeding paragraphs accordingly.

6
7 Amendment No. 4, by Representative Gibbs.

8
9 Amend printed bill, page 6, before line 7, insert the following:

10
11 "(4) NOTHING IN THIS SECTION SHALL ESTABLISH, ALTER, IMPAIR,
12 OR NEGATE THE AUTHORITY OF LOCAL AND COUNTY GOVERNMENTS TO
13 REGULATE LAND USE RELATED TO OIL AND GAS OPERATIONS."

14
15 As amended, ordered engrossed and placed on the Calendar for Third
16 Reading and Final Passage.

17
18 **HB07-1284** by Representative(s) Casso; also Senator Williams--
19 Concerning the exception of certain students' scores from
20 calculations of a school's academic performance.

21
22 Amendment No. 1, Education Report, dated March 22, 2007, and placed
23 in member's bill file; Report also printed in House Journal, March 23,
24 pages 950-951.

25
26 As amended, ordered engrossed and placed on the Calendar for Third
27 Reading and Final Passage.

28
29 **SB07-197** by Senator(s) Morse; also Representative(s) Frangas--
30 Concerning the safe-2-tell program for persons in schools.

31
32 Ordered revised and placed on the Calendar for Third Reading and Final
33 Passage.

34
35
36

37 **AMENDMENT TO THE COMMITTEE OF THE WHOLE REPORT**

38
39 Representatives B. Gardner, Cadman, Lambert, and Liston moved to
40 amend the Report of the Committee of the Whole to show that the
41 following B. Gardner amendment, to SB07-124, did pass, and that
42 **SB07-124**, as amended, did pass.

43
44 Amend reengrossed bill, page 2, line 13, strike "persons, WHETHER OR
45 NOT" and substitute "persons".

46
47 The amendment was declared **lost** by the following roll call vote:

48
49

	YES	21	NO	44	EXCUSED	00	ABSENT	00
50	Balmer	Y	Gardner B	Y	Looper	Y	Rice	N
51	Benefield	N	Gardner C	Y	Lundberg	Y	Riesberg	N
52	Borodkin	N	Gibbs	N	Madden	N	Roberts	N
53	Buescher	N	Green	N	Marostica	Y	Rose	Y
54	Butcher	N	Hicks	Y	Marshall	N	Solano	N
55	Cadman	Y	Hodge	N	Massey	N	Sonnenberg	Y
56	Carroll M	N	Jahn	N	May	Y	Soper	N

1	Carroll T	N	Judd	N	McFadyen	N	Stafford	N
2	Casso	N	Kefalas	N	McGihon	N	Stephens	Y
3	Cerbo	N	Kerr A	N	McKinley	N	Summers	Y
4	Curry	N	Kerr J	Y	McNulty	Y	Swalm	Y
5	Fischer	N	King	Y	Merrifield	N	Todd	N
6	Frangas	N	Labuda	N	Mitchell	Y	Vaad	Y
7	Gagliardi	N	Lambert	Y	Peniston	N	Weissmann	N
8	Gallegos	N	Levy	N	Pommer	N	White	N
9	Garcia	N	Liston	Y	Primavera	N	Witwer	N
10							Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

16 Passed Second Reading: **HB07-1336 amended, SB07-034, 154, 124,**
 17 **202, 152, 207 amended, HB07-1298 amended, 1284 amended,**
 18 **SB07-197.**

19
 20 The Chairman moved the adoption of the Committee of the Whole
 21 Report. As shown by the following roll call vote, a majority of those
 22 elected to the House voted in the affirmative, and the Report was
 23 **adopted.**

25	YES	65	NO	00	EXCUSED	00	ABSENT	00
26	Balmer	Y	Gardner B	Y	Looper	Y	Rice	Y
27	Benefield	Y	Gardner C	Y	Lundberg	Y	Riesberg	Y
28	Borodkin	Y	Gibbs	Y	Madden	Y	Roberts	Y
29	Buescher	Y	Green	Y	Marostica	Y	Rose	Y
30	Butcher	Y	Hicks	Y	Marshall	Y	Solano	Y
31	Cadman	Y	Hodge	Y	Massey	Y	Sonnenberg	Y
32	Carroll M	Y	Jahn	Y	May	Y	Soper	Y
33	Carroll T	Y	Judd	Y	McFadyen	Y	Stafford	Y
34	Casso	Y	Kefalas	Y	McGihon	Y	Stephens	Y
35	Cerbo	Y	Kerr A	Y	McKinley	Y	Summers	Y
36	Curry	Y	Kerr J	Y	McNulty	Y	Swalm	Y
37	Fischer	Y	King	Y	Merrifield	Y	Todd	Y
38	Frangas	Y	Labuda	Y	Mitchell	Y	Vaad	Y
39	Gagliardi	Y	Lambert	Y	Peniston	Y	Weissmann	Y
40	Gallegos	Y	Levy	Y	Pommer	Y	White	Y
41	Garcia	Y	Liston	Y	Primavera	Y	Witwer	Y
42							Speaker	Y

44
 45 House in recess. House reconvened.

REPORT OF COMMITTEE OF REFERENCE

JUDICIARY

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

53
 54 **HB07-1338** be amended as follows, and as so amended, be referred to
 55 the Committee of the Whole with favorable
 56 recommendation:

1 Amend printed bill, page 2, line 9, strike "OR IMPLIED";
2
3 line 18, strike "CLAIMS" and substitute "CLAIMS, AND ANY RECORDED
4 NOTICE OF SUCH SETTLEMENT,";
5
6 strike lines 22 and 23 and substitute the following:
7
8 "REMEDIES, OR DAMAGES OF CLAIMANTS ASSERTING CLAIMS ARISING OUT
9 OF RESIDENTIAL PROPERTY AND SHALL NOT APPLY TO SALES OR
10 DONATIONS";
11
12 after line 26, insert the following:
13 "(d) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (7)
14 TO THE CONTRARY, THIS SUBSECTION (7) SHALL APPLY ONLY TO ACTIONS
15 THAT ARE GOVERNED BY THE PROVISIONS OF THIS PART 8, ALSO KNOWN AS
16 THE "CONSTRUCTION DEFECT ACTION REFORM ACT", AND SHALL NOT BE
17 DEEMED TO ALTER OR AMEND THE LIMITATIONS ON DAMAGES CONTAINED
18 IN THIS PART 8, INCLUDING THE LIMITATIONS ON TREBLE DAMAGES AND
19 ATTORNEY FEES SET FORTH IN THIS SECTION.
20
21 (e) NOTHING CONTAINED IN THIS SECTION SHALL BE DEEMED TO
22 RENDER VOID ANY REQUIREMENT TO PARTICIPATE IN MEDIATION PRIOR TO
23 FILING A SUIT OR ARBITRATION PROCEEDING."
24

PRINTING REPORT

25
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27
28
29 The Chief Clerk reports the following bill has been correctly printed:
30 **HB07-1355.**

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

31
32
33
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35
36 The Speaker has signed: **HB07-1009, 1049, 1078, 1168, 1195, 1196,**
37 **1197, 1211, 1265, 1281; HJR07-1022.**

DELIVERY OF BILLS TO GOVERNOR

38
39
40
41
42
43 The Chief Clerk of the House of Representatives reports the following
44 bills have been delivered to the Office of the Governor: **HB07-1018,**
45 **1133, 1259, 1260, 1261** at 2:58 p.m. on March 23, 2007.

MESSAGES FROM THE SENATE

46
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50
51 The Senate voted to recede from its position on HB07-1208, and
52 repassed the bill. The bill is returned herewith.

53
54 The Senate has postponed indefinitely HB07-1068, HB07-1071, and
55 HB07-1296. The bills are returned herewith.
56

1 The Senate has passed on Third Reading and returns herewith
2 HB07-1142, HB07-1126, HB07-1262, HB07-1283, HB07-1258, and
3 HB07-1087.

4
5 The Senate has deemed postponed indefinitely HB07-1264. The bill is
6 returned herewith.

7
8
9 The Senate has passed on Third Reading and transmitted to the Revisor
10 of Statutes: SB-224,

11
12 SB07-219 amended as printed in Senate Journal, March 23, 2007,
13 page 715,

14 SB07-220 amended as printed in Senate Journal, March 23, 2007,
15 page 715,

16 HB07-1315 amended as printed in Senate Journal, March 23, 2007,
17 page 714,

18 HB07-1157 amended as printed in Senate Journal, March 12, 2007,
19 pages 527-528, and on Third Reading, March 26, 2007 as
20 printed in the Senate Journal,

21 HB07-1269 amended as printed in Senate Journal, March 16, 2007,
22 pages 584, and 585-586, and on Third Reading,
23 March 26, 2007 as printed in the Senate Journal,

24 HB07-1286 amended as printed in Senate Journal, March 23, 2007,
25 page 715,

26 HB07-1156 amended as printed in Senate Journal, March 23, 2007,
27 pages 715-716,

28 HB07-1247 amended as printed in Senate Journal, March 23, 2007,
29 page 716,

30 HB07-1092 amended as printed in Senate Journal, March 23, 2007,
31 page 717,

32 HB07-1184 amended as printed in Senate Journal, March 23, 2007,
33 page 717,

34 HB07-1199 amended as printed in Senate Journal, March 23, 2007,
35 page 717,

36 HB07-1065 amended as printed in Senate Journal, March 23, 2007,
37 page 718.

38 HB07-1312 amended on Third Reading, March 26, 2007 as printed in
39 the Senate Journal.

40
41
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43
44 **MESSAGE FROM THE REVISOR**

45
46 We herewith transmit:

47 Without comment, SB07-224.

48 Without comment, as amended, HB07-1315, 1157, 1269, 1286, 1156,
49 1247, 1092, 1184, 1199, 1065, and 1312.

50 Without comment, as amended, SB07-219 and 220.

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INTRODUCTION OF BILLS
First Reading

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

HB07-1356 by Representative(s) Cadman, Weissmann--Concerning technical modifications to statutory provisions governing the ethical conduct of persons involved in government as required by section 3 (5) of article XXIX of the state constitution.

Committee on State, Veterans, & Military Affairs

HB07-1357 by Representative(s) Buescher, Pommer, White; also Senator(s) Johnson, Tapia, Keller--Concerning litigation costs associated with the cleanup of hazardous waste sites.

Committee on Finance

SB07-219 by Senator(s) Fitz-Gerald; also Representative(s) Levy--Concerning limitations on the liability of railroads that make their property available for the provision of public passenger rail service, and, in connection therewith, clarifying the status of public light rail vehicles under the "Colorado Governmental Immunity Act".

Committee on Judiciary

SB07-220 by Senator(s) Schwartz; also Representative(s) Gallegos--Concerning an increase in the powers of the Rio Grande water conservation district, and, in connection therewith, specifying the establishment, operation, and financing procedures of subdistricts of the Rio Grande water conservation district.

Committee on Agriculture, Livestock, & Natural Resources

SB07-224 by Senator(s) Williams, Keller, Tapia, Boyd, Kester; also Representative(s) Roberts, Mitchell V., Kerr J., King--Concerning at-risk adult protection teams.

Committee on Health and Human Services

LAY OVER OF CALENDAR ITEMS

On motion of Representative Judd, the following items on the Calendar were laid over until March 27, retaining place on Calendar:

Consideration of General Orders--**HB07-1318, SB07-156, 151.**
Consideration of Resolutions--**HJR07-1020, 1026, SJR07-024.**

1 On motion of Representative Judd, the House adjourned until 9:00 a.m.,
2 March 27, 2007.

3

4

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6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:
ANDREW ROMANOFF,
Speaker