

**HOUSE JOURNAL**  
**SIXTY-FIFTH GENERAL ASSEMBLY**  
**STATE OF COLORADO**  
**Second Regular Session**

One hundred-twelfth Legislative Day

Tuesday, May 2, 2006

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 Pat Geddis, Calendar Clerk/Assistant Chief  
6 Clerk.

7

8 The roll was called with the following result:

9

10 Present--61.

11 Excused--Representatives Butcher, Coleman--2.

12 Absent--Representatives Paccione, Pommer--2.

13 Present after roll call--Representatives Butcher, Coleman,  
14 Paccione, Pommer.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Witwer, the reading of the journal of  
20 May 1, 2006, was declared dispensed with and approved as corrected by  
21 the Chief Clerk.

22

23

24

25

26

**CONSIDERATION OF RESOLUTION**

27

28 **SJR06-031** by Senator(s) Teck; also Representative(s) McGihon--  
29 Concerning the proclamation of May 2006 as "Hepatitis C  
30 Awareness Month".

31

32 (Printed and placed in member's file.)

33

34 On motion of Representative McGihon, the resolution was read at length  
35 and **adopted** by **viva voce** vote.

36

37 Co-sponsors added: Roll Call of the House.

38

39

40

41

42

1                   **THIRD READING OF BILLS--FINAL PASSAGE**

2  
3 The following bills were considered on Third Reading. The titles were  
4 publicly read. Reading of the bill at length was dispensed with by  
5 unanimous consent.

6  
7 **HB06-1352** by Representative(s) McFadyen, Buescher, Butcher, Curry,  
8 Gallegos, Massey; also Senator(s) Gordon--Concerning an  
9 expansion of water judges' jurisdiction to address the  
10 effects of a water right adjudication on water quality.

11  
12 The question being "Shall the bill pass?".

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

	YES	33	NO	31	EXCUSED	01	ABSENT	00
18	Balmer	N	Frangas	Y	Larson	Y	Pommer	Y
19	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	N
20	Berens	N	Garcia	N	Liston	N	Riesberg	Y
21	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
22	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
23	Butcher	Y	Hall	N	Marshall	Y	Solano	N
24	Cadman	N	Harvey	N	Massey	Y	Soper	N
25	Carroll M	N	Hefley	N	May	N	Stafford	N
26	Carroll T	Y	Hodge	N	McCluskey	N	Stengel	N
27	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	E
28	Clapp	N	Jahn	Y	McGihon	Y	Todd	N
29	Cloer	N	Judd	Y	McKinley	Y	Vigil	N
30	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
31	Crane	N	Kerr J	N	Paccione	Y	Welker	Y
32	Curry	Y	King	N	Penry	Y	White	Y
33	Decker	N	Knoedler	N	Plant	Y	Witwer	Y
34							Speaker	Y

35 Representative Sullivan excused from voting under House Rule 21(c).

36 Co-sponsors added: Representatives Frangas, Green, Madden, Marshall,  
37 Merrifield, Paccione, Penry, White, Speaker.

38  
39 **HB06-1408** by Representative(s) Massey; also Senator(s) Taylor--  
40 Concerning off-site ground water monitoring wells in  
41 mining operations.

42  
43 The question being "Shall the bill pass?".

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

	YES	63	NO	02	EXCUSED	00	ABSENT	00
49	Balmer	Y	Frangas	Y	Larson	N	Pommer	Y
50	Benefield	Y	Gallegos	Y	Lindstrom	N	Ragsdale	Y
51	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
52	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
53	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
54	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
55	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
56	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y

1	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
2	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
3	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
4	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
5	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
6	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
7	Curry	Y	King	Y	Penry	Y	White	Y
8	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
9							Speaker	Y

10 Co-sponsors added: Representatives Berens, Rose.

11  
 12 **HB06-1409** by Representative(s) Jahn; also Senator(s) Tochtrop--  
 13 Concerning the authority to simulcast out-of-state  
 14 greyhound races at greyhound race facilities.

15  
 16 The question being "Shall the bill pass?".  
 17 A roll call vote was taken. As shown by the following recorded vote, a  
 18 majority of those elected to the House voted in the affirmative and the bill  
 19 was declared **passed**.

21	YES	55	NO	10	EXCUSED	00	ABSENT	00
22	Balmer	Y	Frangas	Y	Larson	N	Pommer	Y
23	Benefield	Y	Gallegos	Y	Lindstrom	N	Ragsdale	Y
24	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
25	Borodkin	Y	Gardner	N	Lundberg	N	Rose	Y
26	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
27	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
28	Cadman	Y	Harvey	N	Massey	Y	Soper	Y
29	Carroll M	Y	Hefley	Y	May	N	Stafford	Y
30	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
31	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
32	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
33	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
34	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
35	Crane	Y	Kerr J	Y	Paccione	Y	Welker	N
36	Curry	Y	King	Y	Penry	Y	White	Y
37	Decker	Y	Knoedler	N	Plant	N	Witwer	Y
38							Speaker	Y

39 Co-sponsors added: Representatives Cloer, Hefley, Hoppe, Stafford, Vigil.

40  
 41 **SB06-045** by Senator(s) Williams, Jones; also Representative(s)  
 42 Solano, Hefley, Merrifield--Concerning the investigation  
 43 of child care providers, and making an appropriation  
 44 therefor.

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

51	YES	51	NO	14	EXCUSED	00	ABSENT	00
52	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
53	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
54	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
55	Borodkin	Y	Gardner	N	Lundberg	N	Rose	Y
56	Buescher	Y	Green	Y	Madden	Y	Schultheis	N

1	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
2	Cadman	N	Harvey	N	Massey	Y	Soper	Y
3	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
4	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
5	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	N
6	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
7	Cloer	N	Judd	Y	McKinley	Y	Vigil	Y
8	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
9	Crane	N	Kerr J	Y	Paccione	Y	Welker	N
10	Curry	Y	King	N	Penry	Y	White	Y
11	Decker	N	Knoedler	Y	Plant	Y	Witwer	Y
12							Speaker	Y

13 Co-sponsors added: Representatives Benefield, Berens, Borodkin, Hodge,  
14 Madden, McGihon, Paccione, Todd, Speaker.

15  
16 **SB06-212** by Senator(s) Hagedorn; also Representative(s) McGihon--  
17 Concerning the authority of an unsupervised dental  
18 hygienist to arrange for the provision of dental services,  
19 and, in connection therewith, allowing the proprietor of a  
20 dental hygiene clinic to employ or contract with a licensed  
21 dentist.

22  
23 The question being "Shall the bill pass?".

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

27	YES	51	NO	14	EXCUSED	00	ABSENT	00
28	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
29	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
30	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
31	Borodkin	Y	Gardner	N	Lundberg	Y	Rose	Y
32	Buescher	N	Green	Y	Madden	Y	Schultheis	Y
33	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
34	Cadman	N	Harvey	N	Massey	Y	Soper	Y
35	Carroll M	Y	Hefley	N	May	N	Stafford	Y
36	Carroll T	Y	Hodge	Y	McCluskey	N	Stengel	Y
37	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	N
38	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
39	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
40	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
41	Crane	Y	Kerr J	Y	Paccione	Y	Welker	N
42	Curry	Y	King	N	Penry	N	White	Y
43	Decker	N	Knoedler	N	Plant	Y	Witwer	Y
44							Speaker	Y

45  
46 Co-sponsors added: Representatives Jahn, Rose, White.

47  
48 **SB06-217** by Senator(s) Groff, Wiens; also Representative(s)  
49 Carroll T., Cerbo, Harvey--Concerning the authority of the  
50 state board of medical examiners to license certain  
51 distinguished teaching physicians.

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	64	NO	01	EXCUSED	00	ABSENT	00
1								
2	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
3	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
4	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
5	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
6	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
7	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
8	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
9	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
10	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
11	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
12	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
13	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
14	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
15	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
16	Curry	Y	King	Y	Penry	Y	White	Y
17	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Berens, Coleman, McCluskey, McFadyen,  
20 McGihon, Witwer.

21

22 **SB06-149** by Senator(s) May R.; also Representative(s) Coleman--  
23 Concerning oversight of communications and information  
24 resources technologies in state agencies.

25

26 As shown by the following roll call vote, a majority of all members  
27 elected to the House voted in the affirmative, and Representative  
28 Coleman was given permission to offer a Third Reading amendment:

29

	YES	62	NO	03	EXCUSED	00	ABSENT	00
30								
31	Balmer	N	Frangas	Y	Larson	Y	Pommer	Y
32	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
33	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
34	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
35	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
36	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
37	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
38	Carroll M	Y	Hefley	Y	May	N	Stafford	Y
39	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
40	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
41	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
42	Cloer	N	Judd	Y	McKinley	Y	Vigil	Y
43	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
44	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
45	Curry	Y	King	Y	Penry	Y	White	Y
46	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
47							Speaker	Y

48

49 **Third Reading amendment No. 1**, by Representative Coleman.

50

51 Amend revised bill, page 10, strike lines 12 and 13 and substitute the  
52 following:

53

54 "related technologies. ~~and concerning the development of electronic~~  
55 ~~transactions, including the use of electronic signatures as specified in~~  
56 ~~law;~~".

1 Page 11, line 8, strike "(I)";

2  
3 strike lines 14 through 27.

4  
5 Page 12, strike lines 1 through 14.

6  
7 Page 14, line 6, strike "(1), (2)," and substitute "(2) (a)";

8  
9 strike lines 9 through 13 and substitute the following:

10  
11 **"creation - membership.** (2) (a) There is hereby created in the office  
12 of ~~innovation and~~";

13  
14 line 15, strike "THIRTEEN" and substitute "FIFTEEN";

15  
16 line 17, strike "six THREE" and substitute "six";

17  
18 line 20, strike "The" and substitute "EFFECTIVE JULY 1, 2006, the";

19  
20 line 25, strike "five SIX" and substitute "five".

21  
22 Page 15, strike lines 2 and 3 and substitute the following:

23  
24 "executive director of one principal department, which department shall  
25 be designated by";

26  
27 strike lines 5 through 14.

28  
29 The amendment was declared **passed** by the following roll call vote:

30  
31

	YES	64	NO	01	EXCUSED	00	ABSENT	00
32	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
33	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
34	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
35	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
36	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
37	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
38	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
39	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
40	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
41	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
42	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
43	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
44	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
45	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
46	Curry	Y	King	Y	Penry	Y	White	Y
47	Decker	N	Knoedler	Y	Plant	Y	Witwer	Y
48							Speaker	Y

49

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

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

54  
55

	YES	65	NO	00	EXCUSED	00	ABSENT	00
1								
2	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
3	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
4	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
5	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
6	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
7	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
8	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
9	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
10	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
11	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
12	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
13	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
14	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
15	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
16	Curry	Y	King	Y	Penry	Y	White	Y
17	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Crane, McFadyen.

20  
 21 **SB06-063** by Senator(s) Teck, Groff, Hanna; also Representative(s)  
 22 Weissmann, Liston, Marshall--Concerning the procure-  
 23 ment of information technology systems, and making an  
 24 appropriation therefor.  
 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**.

	YES	65	NO	00	EXCUSED	00	ABSENT	00
31								
32	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
33	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
34	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
35	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
36	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
37	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
38	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
39	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
40	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
41	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
42	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
43	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
44	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
45	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
46	Curry	Y	King	Y	Penry	Y	White	Y
47	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
48							Speaker	Y

49 Co-sponsors added: Representatives Berens, Carroll M, Coleman, Frangas,  
 50 Garcia, Larson, Madden, McFadyen, McGihon, Penry, White.

51  
 52  
 53 **HB06-1100** by Representative(s) Frangas; also Senator(s) Sandoval--  
 54 Concerning lowering the cost of prescription drugs, and  
 55 making an appropriation therefor.  
 56

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

	YES	30	NO	35	EXCUSED	00	ABSENT	00
7	Balmer	Y	Frangas	Y	Larson	N	Pommer	Y
8	Benefield	Y	Gallegos	N	Lindstrom	Y	Ragsdale	Y
9	Berens	Y	Garcia	N	Liston	N	Riesberg	N
10	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
11	Buescher	N	Green	N	Madden	Y	Schultheis	N
12	Butcher	Y	Hall	N	Marshall	N	Solano	Y
13	Cadman	N	Harvey	N	Massey	N	Soper	Y
14	Carroll M	Y	Hefley	N	May	N	Stafford	N
15	Carroll T	Y	Hodge	Y	McCluskey	N	Stengel	N
16	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	N
17	Clapp	N	Jahn	N	McGihon	N	Todd	Y
18	Cloer	Y	Judd	Y	McKinley	N	Vigil	Y
19	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
20	Crane	N	Kerr J	Y	Paccione	Y	Welker	N
21	Curry	Y	King	N	Penry	N	White	N
22	Decker	N	Knoedler	N	Plant	Y	Witwer	N
23							Speaker	Y

24  
 25 **HB06-1403** by Representative(s) Kerr A.; also Senator(s) Boyd--  
 26 Concerning incentives for a school district to realign  
 27 public education within the school district, and making an  
 28 appropriation therefor.

29  
 30 The question being "Shall the bill pass?".  
 31 A roll call vote was taken. As shown by the following recorded vote, a  
 32 majority of those elected to the House voted in the affirmative and the bill  
 33 was declared **passed**.

	YES	41	NO	24	EXCUSED	00	ABSENT	00
36	Balmer	N	Frangas	Y	Larson	Y	Pommer	Y
37	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
38	Berens	N	Garcia	Y	Liston	N	Riesberg	Y
39	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
40	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
41	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
42	Cadman	N	Harvey	N	Massey	Y	Soper	Y
43	Carroll M	Y	Hefley	Y	May	N	Stafford	N
44	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
45	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	N
46	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
47	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
48	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
49	Crane	N	Kerr J	N	Paccione	Y	Welker	N
50	Curry	Y	King	N	Penry	N	White	N
51	Decker	N	Knoedler	N	Plant	Y	Witwer	Y
52							Speaker	Y

53 Co-sponsors added: Representatives Coleman, Frangas, Green, Merrifield,  
 54 Paccione, Solano, Todd.  
 55



1 **SB06-022** by Senator(s) Kester, Traylor, Williams; also  
 2 Representative(s) Penry--Concerning sexually violent  
 3 predators, and making an appropriation in connection  
 4 therewith.

5  
 6 The question being "Shall the bill pass?".  
 7 A roll call vote was taken. As shown by the following recorded vote, a  
 8 majority of those elected to the House voted in the affirmative and the bill  
 9 was declared **passed**.

	YES	64	NO	01	EXCUSED	00	ABSENT	00
12	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
13	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
14	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
15	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
16	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
17	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
18	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
19	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
20	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
21	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
22	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
23	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
24	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	N
25	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
26	Curry	Y	King	Y	Penry	Y	White	Y
27	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
28							Speaker	Y

29 Co-sponsors added: Representatives Berens, Butcher, Carroll T, Coleman,  
 30 Crane, Frangas, Garcia, Gardner, Green, Harvey, Hoppe, Kerr A, Kerr J,  
 31 Knoedler, Larson, Massey, May, McCluskey, McFadyen, Merrifield, Paccione,  
 32 Rose, Stafford, Sullivan, White, Witwer, Speaker.

33  
 34 **SB06-061** by Senator(s) Keller; also Representative(s) Larson--  
 35 Concerning providing interpretation in legal situations for  
 36 persons with hearing loss, and making an appropriation in  
 37 connection therewith.

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**.

	YES	65	NO	00	EXCUSED	00	ABSENT	00
45	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
46	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
47	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
48	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
49	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
50	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
51	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
52	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
53	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
54	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
55	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
56	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y

1	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
2	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
3	Curry	Y	King	Y	Penry	Y	White	Y
4	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
5							Speaker	Y

6 Co-sponsors added: Representatives Berens, Borodkin, Coleman, Gallegos,  
7 Green, Kerr A, Merrifield, Solano, Witwer.

8  
9 **SB06-073** by Senator(s) Tapia; also Representative(s) Merrifield--  
10 Concerning the age specifications relating to compulsory  
11 school attendance.

12  
13 The question being "Shall the bill pass?".

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

17	YES	35	NO	30	EXCUSED	00	ABSENT	00
19	Balmer	N	Frangas	Y	Larson	Y	Pommer	Y
20	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
21	Berens	Y	Garcia	Y	Liston	N	Riesberg	N
22	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
23	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
24	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
25	Cadman	N	Harvey	N	Massey	Y	Soper	Y
26	Carroll M	Y	Hefley	N	May	N	Stafford	N
27	Carroll T	Y	Hodge	Y	McCluskey	N	Stengel	N
28	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	N
29	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
30	Cloer	N	Judd	Y	McKinley	N	Vigil	Y
31	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	N
32	Crane	N	Kerr J	N	Paccione	Y	Welker	N
33	Curry	Y	King	N	Penry	N	White	N
34	Decker	N	Knoedler	N	Plant	Y	Witwer	N
35							Speaker	Y

36 Co-sponsors added: Representatives Coleman, Green, Paccione, Todd.

37  
38 **SB06-208** by Senator(s) Hanna, Shaffer; also Representative(s)  
39 McGihon--Concerning the creation of the health care  
40 reform committee for the purpose of studying health care  
41 reform issues, and making transfers of funds therefor.

42  
43 The question being "Shall the bill pass?".

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

47	YES	46	NO	19	EXCUSED	00	ABSENT	00
49	Balmer	N	Frangas	Y	Larson	Y	Pommer	Y
50	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
51	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
52	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
53	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
54	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
55	Cadman	N	Harvey	N	Massey	Y	Soper	Y
56	Carroll M	Y	Hefley	N	May	N	Stafford	N

1	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
2	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	N
3	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
4	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
5	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
6	Crane	N	Kerr J	Y	Paccione	Y	Welker	N
7	Curry	Y	King	N	Penry	Y	White	Y
8	Decker	N	Knoedler	Y	Plant	Y	Witwer	Y
9							Speaker	Y

10 Co-sponsors added: Representatives Benefield, Berens, Borodkin, Buescher,  
 11 Carroll M, Coleman, Gallegos, Green, Jahn, Kerr A, Larson, Massey,  
 12 McFadyen, Penry, Solano, Todd.

13  
 14 **SB06-036** by Senator(s) Hagedorn; also Representative(s) Marshall--  
 15 Concerning the types of health benefit plans required to be  
 16 offered by small employer carriers to small employers in  
 17 the state.

18  
 19 The question being "Shall the bill pass?".  
 20 A roll call vote was taken. As shown by the following recorded vote, a  
 21 majority of those elected to the House voted in the affirmative and the bill  
 22 was declared **passed**.

23	YES	61	NO	04	EXCUSED	00	ABSENT	00
24	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
25	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
26	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
27	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	N
28	Buescher	Y	Green	N	Madden	Y	Schultheis	Y
29	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
30	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
31	Carroll M	Y	Hefley	Y	May	Y	Stafford	N
32	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
33	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
34	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
35	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
36	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
37	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
38	Curry	Y	King	Y	Penry	Y	White	Y
39	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
40							Speaker	Y

41  
 42 Co-sponsors added: Representatives Berens, Borodkin, Coleman, Jahn,  
 43 Merrifield, Paccione, Riesberg.

44  
 45 **SB06-110** by Senator(s) Wiens; also Representative(s) May M.--  
 46 Concerning the creation of fraudulent documents for the  
 47 purpose of unlawfully establishing legal status, and  
 48 making an appropriation therefor.

49  
 50 The question being "Shall the bill pass?".  
 51 A roll call vote was taken. As shown by the following recorded vote, a  
 52 majority of those elected to the House voted in the affirmative and the bill  
 53 was declared **passed**.

	YES	63	NO	02	EXCUSED	00	ABSENT	00
1								
2	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
3	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
4	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
5	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
6	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
7	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
8	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
9	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
10	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
11	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
12	Clapp	Y	Jahn	Y	McGihon	N	Todd	Y
13	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
14	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
15	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
16	Curry	Y	King	Y	Penry	Y	White	Y
17	Decker	Y	Knoedler	Y	Plant	N	Witwer	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Balmer, Berens, Carroll T, Gardner, Green,  
20 Harvey, Jahn, Kerr J, Knoedler, Liston, Rose, Stafford, Todd, Welker, Witwer,  
21 Speaker.

22  
23 **HB06-1358** by Representative(s) Coleman, Merrifield, Benefield,  
24 Larson; also Senator(s) Grossman, Jones--Concerning  
25 students who enroll in higher education courses while still  
26 enrolled in high school.

27  
28 The question being "Shall the bill pass?".  
29 A roll call vote was taken. As shown by the following recorded vote, a  
30 majority of those elected to the House voted in the affirmative and the bill  
31 was declared **passed**.

	YES	63	NO	02	EXCUSED	00	ABSENT	00
33								
34	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
35	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
36	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
37	Borodkin	Y	Gardner	Y	Lundberg	N	Rose	Y
38	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
39	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
40	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
41	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
42	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
43	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
44	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
45	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
46	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
47	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
48	Curry	Y	King	Y	Penry	Y	White	Y
49	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
50							Speaker	Y

51 Co-sponsors added: Representatives Berens, Borodkin, Carroll M, Carroll T,  
52 Frangas, Gallegos, Green, Harvey, Hodge, Jahn, Kerr A, Kerr J, King,  
53 Knoedler, Madden, May, McFadyen, McGihon, Paccione, Riesberg, Solano,  
54 Stafford, Todd, White, Witwer.

55

1 **HB06-1402** by Representative(s) Penry, Plant, Hall, Lundberg,  
 2 Gardner, Berens, Buescher, May M.; also Senator(s)  
 3 Grossman--Concerning the securitization of a portion of  
 4 the right of the state to receive tobacco litigation  
 5 settlement payments in an amount that allows the state to  
 6 continue to fund tobacco programs with unsecuritized  
 7 payments at the levels specified under current law in order  
 8 to reduce future state budget volatility by paying in full  
 9 outstanding obligations of the state that would otherwise  
 10 be paid over multiple fiscal years while providing initial  
 11 funding for a new budget stabilization fund, and, in  
 12 connection therewith, creating a tobacco litigation  
 13 settlement financing corporation to make securitization  
 14 feasible, specifying the allocation of the net proceeds of  
 15 securitization and making an appropriation therefor.

16  
 17 The question being "Shall the bill pass?".  
 18 A roll call vote was taken. As shown by the following recorded vote, a  
 19 majority of those elected to the House voted in the affirmative and the bill  
 20 was declared **passed**.

	YES	54	NO	11	EXCUSED	00	ABSENT	00
23	Balmer	Y	Frangas	N	Larson	Y	Pommer	Y
24	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
25	Berens	Y	Garcia	Y	Liston	Y	Riesberg	N
26	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
27	Buescher	Y	Green	Y	Madden	N	Schultheis	N
28	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
29	Cadman	N	Harvey	Y	Massey	Y	Soper	N
30	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
31	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
32	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
33	Clapp	N	Jahn	Y	McGihon	N	Todd	Y
34	Cloer	N	Judd	N	McKinley	Y	Vigil	Y
35	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
36	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
37	Curry	Y	King	Y	Penry	Y	White	Y
38	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
39							Speaker	Y

40 Co-sponsors added: Representatives Benefield, Butcher, Carroll M, Crane,  
 41 Curry, Jahn, Kerr J, Knoedler, Larson, Liston, Massey, McCluskey, Paccione,  
 42 Stafford, Todd, Witwer.

43  
 44 **SB06-213** by Senator(s) Hagedorn; also Representative(s) Penry--  
 45 Concerning the requirement that health care services  
 46 provided at an in-network facility be provided to the  
 47 covered person at no greater cost than services provided by  
 48 an in-network provider.

49  
 50 The question being "Shall the bill pass?".  
 51 A roll call vote was taken. As shown by the following recorded vote, a  
 52 majority of those elected to the House voted in the affirmative and the bill  
 53 was declared **passed**.

54  
 55

	YES	65	NO	00	EXCUSED	00	ABSENT	00
1								
2	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
3	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
4	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
5	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
6	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
7	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
8	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
9	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
10	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
11	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
12	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
13	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
14	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
15	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
16	Curry	Y	King	Y	Penry	Y	White	Y
17	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Berens, Borodkin, Carroll M, Coleman,  
20 Frangas, Garcia, Hall, Jahn, Kerr A, McCluskey, Paccione, Rose, Solano,  
21 Stafford, Sullivan, White, Witwer.

22  
23 **SB06-128** by Senator(s) Owen, Evans, Gordon, Johnson, Keller,  
24 Mitchell; also Representative(s) Riesberg, Cloer, Frangas,  
25 Knoedler, Larson, Marshall--Concerning a program for  
26 services for people with disabilities under the state medical  
27 assistance program, and making an appropriation therefor.

28  
29 The question being "Shall the bill pass?".  
30 A roll call vote was taken. As shown by the following recorded vote, a  
31 majority of those elected to the House voted in the affirmative and the bill  
32 was declared **passed**.

	YES	61	NO	04	EXCUSED	00	ABSENT	00
34								
35	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
36	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
37	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
38	Borodkin	Y	Gardner	Y	Lundberg	N	Rose	Y
39	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
40	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
41	Cadman	N	Harvey	Y	Massey	Y	Soper	Y
42	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
43	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
44	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
45	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
46	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
47	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
48	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
49	Curry	Y	King	Y	Penry	Y	White	Y
50	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
51							Speaker	Y

52 Co-sponsors added: Representatives Berens, Coleman, Hall, Hoppe, Madden,  
53 McFadyen, McGihon, Merrifield, Paccione, Solano, Stafford, Todd, Witwer,  
54 Speaker.

55  
56

1 **SB06-206** by Senator(s) Groff, Grossman, Shaffer; also  
 2 Representative(s) Green--Concerning a prohibition on the  
 3 smuggling of humans into Colorado, and making an  
 4 appropriation in connection therewith.  
 5

6 As shown by the following roll call vote, less than a majority of all  
 7 members elected to the House voted in the affirmative, and  
 8 Representative Schultheis was denied permission to offer a Third Reading  
 9 amendment:  
 10

	YES	31	NO	34	EXCUSED	00	ABSENT	00
12	Balmer	Y	Frangas	N	Larson	Y	Pommer	N
13	Benefield	N	Gallegos	N	Lindstrom	N	Ragsdale	N
14	Berens	Y	Garcia	N	Liston	Y	Riesberg	N
15	Borodkin	N	Gardner	Y	Lundberg	Y	Rose	Y
16	Buescher	N	Green	N	Madden	N	Schultheis	Y
17	Butcher	N	Hall	Y	Marshall	N	Solano	N
18	Cadman	Y	Harvey	Y	Massey	Y	Soper	N
19	Carroll M	N	Hefley	Y	May	Y	Stafford	Y
20	Carroll T	N	Hodge	N	McCluskey	Y	Stengel	Y
21	Cerbo	N	Hoppe	Y	McFadyen	N	Sullivan	Y
22	Clapp	Y	Jahn	N	McGihon	Y	Todd	N
23	Cloer	Y	Judd	N	McKinley	N	Vigil	N
24	Coleman	N	Kerr A	N	Merrifield	N	Weissmann	N
25	Crane	Y	Kerr J	Y	Paccione	N	Welker	Y
26	Curry	N	King	Y	Penry	Y	White	Y
27	Decker	Y	Knoedler	Y	Plant	N	Witwer	Y
28							Speaker	N

29  
 30 The question being, "Shall the bill, as amended, pass?".  
 31 A roll call vote was taken. As shown by the following recorded vote, a  
 32 majority of those elected to the House voted in the affirmative, and the  
 33 bill, as amended, was declared **passed**.  
 34

	YES	56	NO	09	EXCUSED	00	ABSENT	00
36	Balmer	Y	Frangas	N	Larson	N	Pommer	Y
37	Benefield	Y	Gallegos	N	Lindstrom	Y	Ragsdale	Y
38	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
39	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
40	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
41	Butcher	N	Hall	Y	Marshall	Y	Solano	Y
42	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
43	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
44	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
45	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
46	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
47	Cloer	Y	Judd	N	McKinley	Y	Vigil	N
48	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	N
49	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
50	Curry	Y	King	Y	Penry	Y	White	Y
51	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
52							Speaker	Y

53 Co-sponsors added: Representatives Berens, Buescher, Carroll M, Carroll T,  
 54 Coleman, Crane, Harvey, Hefley, Hoppe, Kerr A, Kerr J, King, Knoedler,  
 55 Massey, May, McCluskey, Merrifield, Paccione, Penry, Rose, Stafford, Todd,  
 56 White, Witwer, Speaker.

1 **SB06-069** by Senator(s) Windels; also Representative(s) Merrifield--  
 2 Concerning school accountability.  
 3

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

	YES	42	NO	23	EXCUSED	00	ABSENT	00
9	Balmer	N	Frangas	Y	Larson	Y	Pommer	Y
10	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
11	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
12	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
13	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
14	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
15	Cadman	N	Harvey	N	Massey	Y	Soper	Y
16	Carroll M	Y	Hefley	N	May	N	Stafford	N
17	Carroll T	Y	Hodge	Y	McCluskey	N	Stengel	N
18	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	N
19	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
20	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
21	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
22	Crane	Y	Kerr J	N	Paccione	Y	Welker	N
23	Curry	Y	King	N	Penry	N	White	N
24	Decker	Y	Knoedler	N	Plant	Y	Witwer	Y
25							Speaker	Y

26 Co-sponsors added: Representatives Marshall, Todd.

27  
 28 **SB06-218** by Senator(s) Keller; also Representative(s) Coleman,  
 29 Larson--Concerning financial support for programs  
 30 benefitting disabled telephone users, and making an  
 31 appropriation therefor.  
 32

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

	YES	62	NO	03	EXCUSED	00	ABSENT	00
38	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
39	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
40	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
41	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
42	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
43	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
44	Cadman	N	Harvey	Y	Massey	Y	Soper	Y
45	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
46	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
47	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
48	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
49	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
50	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
51	Crane	Y	Kerr J	Y	Paccione	Y	Welker	N
52	Curry	Y	King	Y	Penry	Y	White	Y
53	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
54							Speaker	Y

55 Co-sponsors added: Representatives Berens, Carroll M, Frangas, Gallegos,  
 56 Jahn, Kerr J, Marshall, McFadyen, Merrifield, Stafford, Todd.



1 **SB06-148** by Senator(s) Tapia; also Representative(s) McFadyen--  
 2 Concerning the creation of community policing programs  
 3 by local law enforcement agencies.  
 4

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

	YES	47	NO	18	EXCUSED	00	ABSENT	00
11	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
12	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
13	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
14	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
15	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
16	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
17	Cadman	N	Harvey	N	Massey	Y	Soper	Y
18	Carroll M	Y	Hefley	N	May	N	Stafford	Y
19	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
20	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	N
21	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
22	Cloer	N	Judd	Y	McKinley	Y	Vigil	Y
23	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
24	Crane	N	Kerr J	Y	Paccione	Y	Welker	N
25	Curry	Y	King	N	Penry	N	White	Y
26	Decker	N	Knoedler	Y	Plant	Y	Witwer	Y
27							Speaker	Y

28 Co-sponsors added: Representatives Berens, Frangas, McGihon, Merrifield,  
 29 Paccione, Todd.  
 30

31 **HB06-1411** by Representative(s) White and Weissmann, Paccione;  
 32 also Senator(s) Tochtrop--Concerning the circumstances  
 33 under which private property may be acquired by public  
 34 entities through exercise of the power of eminent domain  
 35 in furtherance of a public use, and, in connection  
 36 therewith, prohibiting private property from being taken by  
 37 the state or any political subdivision unless the  
 38 condemning entity establishes that the taking is for a  
 39 public use, excluding takings for economic development  
 40 or tax revenue enhancement from the meaning of public  
 41 use, and requiring that a condemnation action satisfy a  
 42 higher degree of proof when the taking is for the  
 43 eradication of blight.  
 44

45 The question being "Shall the bill pass?".  
 46 A roll call vote was taken. As shown by the following recorded vote, a  
 47 majority of those elected to the House voted in the affirmative and the  
 48 bill was declared **passed**.  
 49

	YES	60	NO	05	EXCUSED	00	ABSENT	00
51	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
52	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
53	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
54	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
55	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
56	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y

1	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
2	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
3	Carroll T	N	Hodge	Y	McCluskey	Y	Stengel	Y
4	Cerbo	N	Hoppe	Y	McFadyen	Y	Sullivan	Y
5	Clapp	Y	Jahn	Y	McGihon	N	Todd	Y
6	Cloer	Y	Judd	Y	McKinley	Y	Vigil	N
7	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
8	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
9	Curry	Y	King	Y	Penry	Y	White	Y
10	Decker	N	Knoedler	Y	Plant	Y	Witwer	Y
11							Speaker	Y

12 Co-sponsors added: Representatives Carroll M, Coleman, Garcia, Green, Hall,  
13 Hefley, Jahn, Kerr J, Knoedler, Liston, Penry, Rose, Stafford, Todd, Witwer.

14  
15 On motion of Representative Madden, the remainder of the Third  
16 Reading Calendar (**SB06-106, 059, SCR06-001**) was laid over until  
17 May 3, retaining place on Calendar.

## CONSIDERATION OF RESOLUTIONS

20  
21  
22  
23 **HJR06-1035** by Representative(s) McKinley; also Senator(s) Kester,  
24 Tochtrop--Concerning the proposed expansion of the  
25 Pinon Canyon Maneuver Site.

26  
27 (Printed and placed in member's file.)

28  
29 On motion of Representative McKinley, the resolution was **adopted** by  
30 **viva voce** vote.

31  
32 Co-sponsors added: Representatives Benefield, Butcher, Carroll M, Cerbo,  
33 Gallegos, Green, Harvey, Judd, Madden, Merrifield, Paccione, Ragsdale,  
34 Schultheis, Vigil.

35  
36 **HJR06-1034** by Representative(s) Paccione; also Senator(s) Gordon--  
37 Concerning a request to the United States Senate to pass  
38 the "Stem Cell Research Enhancement Act of 2005".

39  
40 (Printed and placed in member's file.)

41  
42 On motion of Representative Paccione, the resolution was read at length  
43 and **adopted** by the following roll call vote:

YES	44	NO	21	EXCUSED	00	ABSENT	00	
46	Balmer	N	Frangas	Y	Larson	Y	Pommer	Y
47	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
48	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
49	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
50	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
51	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
52	Cadman	N	Harvey	N	Massey	Y	Soper	Y
53	Carroll M	Y	Hefley	Y	May	N	Stafford	N
54	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
55	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	N
56	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y

1	Cloer	N	Judd	Y	McKinley	Y	Vigil	Y
2	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
3	Crane	N	Kerr J	N	Paccione	Y	Welker	N
4	Curry	Y	King	N	Penry	N	White	Y
5	Decker	N	Knoedler	N	Plant	Y	Witwer	N
6							Speaker	Y

7 Co-sponsors added: Representatives Borodkin, Buescher, Carroll M, Carroll T,  
8 Coleman, Curry, Garcia, Hefley, Hodge, Hoppe, Jahn, Judd, Kerr A, Lindstrom,  
9 Madden, Marshall, McFadyen, McGihon, Merrifield, Plant, Pommer, Ragsdale,  
10 Riesberg, Todd, Vigil, Speaker.

## 11 12 13 14 **REPORTS OF COMMITTEES OF REFERENCE**

### 15 **APPROPRIATIONS**

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

18  
19  
20 **HB06-1410** be amended as follows, and as so amended, be referred to  
21 the Committee of the Whole with favorable  
22 recommendation:

23  
24 Amend printed bill, page 3, line 15, strike "appropriated" and substitute  
25 "~~appropriated~~ TRANSFERRED";

26  
27 after line 17, insert the following:

28  
29 **"SECTION 3.** The introductory portion to section 31 (4) and  
30 section 31 (4) (f) of chapter 241, Session Laws of Colorado 2005, as  
31 amended by section 20 of House Bill 06-1385, enacted at the second  
32 regular session of the sixty-fifth general assembly, are amended, and the  
33 said section 31 is further amended BY THE ADDITION OF A NEW  
34 SUBSECTION, to read:

35  
36 Section 31. **Appropriation.** (4) In addition to any other  
37 appropriation, for the fiscal year beginning July 1, 2005, there is hereby  
38 appropriated from the prevention, early detection, and treatment fund  
39 created in section 24-22-117 (2) (d) (I), Colorado Revised Statutes, to the  
40 department of public health and environment, prevention services  
41 division, the sum of ~~thirty-seven million one hundred thirty-six thousand~~  
42 ~~dollars (\$37,136,000)~~ THIRTY-ONE MILLION FIVE HUNDRED SIXTY-FIVE  
43 THOUSAND SIX HUNDRED DOLLARS (\$31,565,600) and ~~7.9 FTE~~ 7.7 FTE.  
44 Said appropriation shall be allocated for the following purposes:

45  
46 (f) ~~Five million five hundred seventy thousand four hundred~~  
47 ~~dollars (\$5,570,400) and 0.2 FTE for the health disparities grant program~~  
48 ~~pursuant to part 22 of article 4 of title 25, Colorado Revised Statutes;~~  
49

50 (5) IN ADDITION TO ANY OTHER APPROPRIATION, FOR THE FISCAL  
51 YEAR BEGINNING JULY 1, 2005, THERE IS HEREBY APPROPRIATED FROM  
52 THE HEALTH DISPARITIES GRANT PROGRAM FUND CREATED IN SECTION  
53 24-22-117 (2) (f), COLORADO REVISED STATUTES, TO THE DEPARTMENT  
54 OF PUBLIC HEALTH AND ENVIRONMENT, ADMINISTRATION AND SUPPORT,  
55 THE SUM OF FIVE MILLION FIVE HUNDRED SEVENTY THOUSAND FOUR  
56 HUNDRED DOLLARS (\$5,570,400) AND 0.2 FTE FOR THE HEALTH

1 DISPARITIES GRANT PROGRAM PURSUANT TO PART 22 OF ARTICLE 4 OF  
2 TITLE 25, COLORADO REVISED STATUTES.

3

4 **SECTION 4. Appropriation - adjustments to the 2006 long**  
5 **bill.** (1) In addition to any other appropriation, there is hereby

6 appropriated, out of any moneys in the health disparities grant program  
7 fund created in section 24-22-117 (2) (f), Colorado Revised Statutes, not  
8 otherwise appropriated, to the department of public health and  
9 environment, administration and support, special programs, for the health  
10 disparities grant program, for the fiscal year beginning July 1, 2006, the  
11 sum of eight million six hundred fifteen thousand two hundred seven  
12 dollars (\$8,615,207) and 0.5 FTE, or so much thereof as may be  
13 necessary, for the implementation of this act. Of said sum, thirty thousand  
14 six hundred dollars (\$30,600) and 0.5 FTE shall be for personal services  
15 and eight million five hundred eighty-four thousand six hundred seven  
16 dollars (\$8,584,607) shall be for health disparities grants.

17

18 (2) For the implementation of this act, appropriations made in the  
19 annual general appropriation act to the department of public health and  
20 environment for the fiscal year beginning July 1, 2006, shall be adjusted  
21 as follows:

22

23 (a) The appropriation to administration and support, special  
24 programs, health disparities grant program, for personal services, is  
25 decreased by thirty thousand six hundred dollars (\$30,600) and 0.5 FTE.  
26 Said sum shall be transferred from the prevention, early detection, and  
27 treatment fund expenditures line item in the prevention services division.

28

29 (b) The appropriation to administration and support, special  
30 programs, health disparities grant program, for health disparities grants,  
31 is decreased by four million three hundred thirty-one thousand four  
32 hundred fifty dollars (\$4,331,450). Said sum shall be transferred from the  
33 prevention, early detection, and treatment fund expenditures line item in  
34 the prevention services division.

35

36 (c) The appropriation to the prevention services division,  
37 prevention programs, for prevention, early detection, and treatment  
38 grants, is decreased by four million two hundred fifty-three thousand one  
39 hundred fifty-seven dollars (\$4,253,157). Said sum shall be transferred  
40 from the prevention, early detection, and treatment fund expenditures line  
41 item in the prevention services division."

42

43 Renumber succeeding section accordingly.

44

45 Page 1, line 102, strike "FUND." and substitute "FUND, AND MAKING AN  
46 APPROPRIATION IN CONNECTION THEREWITH."

47

48

49

50 **HB06-1412** be amended as follows, and as so amended, be referred to  
51 the Committee of the Whole with favorable  
52 recommendation:

53

54 Amend printed bill, page 2, line 2, strike "and (1) (i)," and substitute "(1)  
55 (i), and (2),";

56

- 1 line 8, after "(c)", insert "(I) (A)";  
2  
3 line 11, strike "year." and substitute "year, AS PROVIDED IN SAID  
4 SECTION.";  
5  
6 line 12, strike "paragraph (c)" and substitute "~~paragraph (c)~~  
7 SUB-SUBPARAGRAPH (A)";  
8  
9 line 13, after the first "the", insert "GENERAL ASSEMBLY SHALL  
10 APPROPRIATE THE";  
11  
12 line 14, strike "shall be allocated" and substitute "~~shall be allocated~~"  
13  
14 line 15, strike "necessary FOR" and substitute "necessary,";  
15  
16 line 16, strike "ANY FISCAL YEAR COMMENCING BEFORE JULY 1, 2007,";  
17  
18 after line 18, insert the following:  
19  
20       "(B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JULY 1,  
21 2007, ONLY IF HOUSE BILL 06-1402 IS NOT ENACTED AT THE SECOND  
22 REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES NOT  
23 BECOME LAW, OR, IF HOUSE BILL 06-1402 IS ENACTED AT THE SECOND  
24 REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES  
25 BECOME LAW, IF THE STATE TREASURER NOTIFIES THE REVISOR OF  
26 STATUTES PURSUANT TO SECTION 24-22-107 (4.5), THAT THE STATE  
27 TREASURER HAS NOT ENTERED INTO A PROPERTY SALE CONTRACT, AS  
28 DEFINED IN SECTION 24-82.5-103 (11), AS ENACTED BY HOUSE BILL  
29 06-1402.  
30  
31       (II) (A) FOR THE 2007-08 FISCAL YEAR AND FOR EACH FISCAL  
32 YEAR THEREAFTER, THE CHILDREN'S BASIC HEALTH PLAN TRUST CREATED  
33 IN SECTION 26-19-105, C.R.S., SHALL RECEIVE TWENTY-FOUR PERCENT OF  
34 THE TOTAL AMOUNT OF SETTLEMENT MONEYS ANNUALLY RECEIVED BY  
35 THE STATE, NOT TO EXCEED THIRTY MILLION DOLLARS IN ANY FISCAL  
36 YEAR, AS PROVIDED IN SAID SECTION. IF IN ANY FISCAL YEAR THE  
37 PERCENTAGE OF SETTLEMENT MONEYS SPECIFIED IN THIS SUBPARAGRAPH  
38 (II) DOES NOT EQUAL AT LEAST SEVENTEEN MILLION FIVE HUNDRED  
39 THOUSAND DOLLARS, THE GENERAL ASSEMBLY SHALL APPROPRIATE THE  
40 AMOUNT OF THE SHORTFALL OUT OF THE TOBACCO LITIGATION  
41 SETTLEMENT TRUST FUND PURSUANT TO SECTION 24-22-115.5 (2) (a.7)  
42 (I.5).  
43  
44       (B) THIS SUBPARAGRAPH (II) SHALL TAKE EFFECT OCTOBER 1,  
45 2006, ONLY IF HOUSE BILL 06-1402 IS NOT ENACTED AT THE SECOND  
46 REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES NOT  
47 BECOME LAW, OR, IF HOUSE BILL 06-1402 IS ENACTED AT THE SECOND  
48 REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES  
49 BECOME LAW, IF THE STATE TREASURER NOTIFIES THE REVISOR OF  
50 STATUTES PURSUANT TO SECTION 24-22-107 (4.5), THAT THE STATE  
51 TREASURER HAS NOT ENTERED INTO A PROPERTY SALE CONTRACT, AS  
52 DEFINED IN SECTION 24-82.5-103 (11), AS ENACTED BY HOUSE BILL  
53 06-1402.";  
54  
55 line 19, after "(I)", insert "(A)";  
56

1 line 22, after "year", insert "AS PROVIDED IN SAID SECTION".

2

3 Page 3, after line 2, insert the following:

4

5       "(B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JULY 1,  
6 2007, ONLY IF HOUSE BILL 06-1402 IS NOT ENACTED AT THE SECOND  
7 REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES NOT  
8 BECOME LAW, OR, IF HOUSE BILL 06-1402 IS ENACTED AT THE SECOND  
9 REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES  
10 BECOME LAW, IF THE STATE TREASURER NOTIFIES THE REVISOR OF  
11 STATUTES PURSUANT TO SECTION 24-22-107 (4.5) THAT THE STATE  
12 TREASURER HAS NOT ENTERED INTO A PROPERTY SALE CONTRACT, AS  
13 DEFINED IN SECTION 24-82.5-103 (11), AS ENACTED BY HOUSE BILL  
14 06-1402.";

15

16 line 3, after "(II)", insert "(A)";

17

18 line 5, strike "SIXTEEN" and substitute "ELEVEN";

19

20 line 7, strike "DOLLARS." and substitute "DOLLARS IN ANY FISCAL YEAR,  
21 AS PROVIDED IN SAID SECTION.";

22

23 after line 7, insert the following:

24

25       "(B) THIS SUBPARAGRAPH (II) SHALL TAKE EFFECT OCTOBER 1,  
26 2006, ONLY IF HOUSE BILL 06-1402 IS NOT ENACTED AT THE SECOND  
27 REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES NOT  
28 BECOME LAW, OR, IF HOUSE BILL 06-1402 IS ENACTED AT THE SECOND  
29 REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES  
30 BECOME LAW, IF THE STATE TREASURER NOTIFIES THE REVISOR OF  
31 STATUTES PURSUANT TO SECTION 24-22-107 (4.5), THAT THE STATE  
32 TREASURER HAS NOT ENTERED INTO A PROPERTY SALE CONTRACT, AS  
33 DEFINED IN SECTION 24-82.5-103 (11), AS ENACTED BY HOUSE BILL  
34 06-1402.";

35

36 line 8, after "(i)", insert "(I) (A)";

37

38 strike lines 11 through 14 and substitute the following:

39

40 "five million dollars in any fiscal year, AS PROVIDED IN SECTION  
41 25-20.5-201, C.R.S.

42

43       (B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JULY 1, 2007,  
44 ONLY IF HOUSE BILL 06-1402 IS NOT ENACTED AT THE SECOND REGULAR  
45 SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES NOT BECOME  
46 LAW, OR, IF HOUSE BILL 06-1402 IS ENACTED AT THE SECOND REGULAR  
47 SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES BECOME LAW,  
48 IF THE STATE TREASURER NOTIFIES THE REVISOR OF STATUTES PURSUANT  
49 TO SECTION 24-22-107 (4.5) THAT THE STATE TREASURER HAS NOT  
50 ENTERED INTO A PROPERTY SALE CONTRACT, AS DEFINED IN SECTION  
51 24-82.5-103 (11), AS ENACTED BY HOUSE BILL 06-1402.

52

53       (II) (A) FOR THE 2007-08 FISCAL YEAR AND FOR EACH FISCAL  
54 YEAR THEREAFTER, THE TONY GRAMPSAS YOUTH SERVICES PROGRAM  
55 CREATED IN PART 2 OF ARTICLE 20.5 OF TITLE 25, C.R.S., SHALL RECEIVE  
56 NINE PERCENT OF THE TOTAL AMOUNT OF SETTLEMENT MONEYS

1 ANNUALLY RECEIVED BY THE STATE, NOT TO EXCEED FIFTEEN MILLION  
2 DOLLARS IN ANY FISCAL YEAR, AS PROVIDED IN SECTION 25-20.5-201,  
3 C.R.S.

4  
5 (B) THIS SUBPARAGRAPH (II) SHALL TAKE EFFECT OCTOBER 1,  
6 2006, ONLY IF HOUSE BILL 06-1402 IS NOT ENACTED AT THE SECOND  
7 REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES NOT  
8 BECOME LAW, OR, IF HOUSE BILL 06-1402 IS ENACTED AT THE SECOND  
9 REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES  
10 BECOME LAW, IF THE STATE TREASURER NOTIFIES THE REVISOR OF  
11 STATUTES PURSUANT TO SECTION 24-22-107 (4.5), THAT THE STATE  
12 TREASURER HAS NOT ENTERED INTO A PROPERTY SALE CONTRACT, AS  
13 DEFINED IN SECTION 24-82.5-103 (11), AS ENACTED BY HOUSE BILL  
14 06-1402.

15  
16 (2) (a) (I) The general assembly shall appropriate OR THE STATE  
17 TREASURER SHALL TRANSFER, AS PROVIDED BY LAW, the amounts  
18 specified in subsection (1) of this section from moneys credited to the  
19 tobacco litigation settlement cash fund created in section 24-22-115.

20  
21 (II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JULY 1, 2007,  
22 ONLY IF HOUSE BILL 06-1402 IS NOT ENACTED AT THE SECOND REGULAR  
23 SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES NOT BECOME  
24 LAW, OR, IF HOUSE BILL 06-1402 IS ENACTED AT THE SECOND REGULAR  
25 SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES BECOME LAW,  
26 IF THE STATE TREASURER NOTIFIES THE REVISOR OF STATUTES PURSUANT  
27 TO SECTION 24-22-107 (4.5) THAT THE STATE TREASURER HAS NOT  
28 ENTERED INTO A PROPERTY SALE CONTRACT, AS DEFINED IN SECTION  
29 24-82.5-103 (11), AS ENACTED BY HOUSE BILL 06-1402.

30  
31 (b) (I) FOR THE 2007-08 FISCAL YEAR AND FOR EACH FISCAL YEAR  
32 THEREAFTER, THE GENERAL ASSEMBLY SHALL APPROPRIATE OR THE STATE  
33 TREASURER SHALL TRANSFER, AS PROVIDED BY LAW, THE AMOUNTS  
34 SPECIFIED IN SUBSECTION (1) OF THIS SECTION FROM MONEYS CREDITED TO  
35 THE TOBACCO LITIGATION SETTLEMENT CASH FUND CREATED IN SECTION  
36 24-22-115; EXCEPT THAT, IF THE AMOUNT OF MONEYS AVAILABLE FOR  
37 APPROPRIATION OR TRANSFER FROM THE CASH FUND IS INSUFFICIENT TO  
38 ALLOW APPROPRIATIONS AND TRANSFERS IN THE MAXIMUM AMOUNTS  
39 SPECIFIED IN SAID SUBSECTION (1), THE AMOUNT OF THE SHORTFALL SHALL  
40 BE APPROPRIATED OR TRANSFERRED, AS PROVIDED BY LAW, FROM THE  
41 TOBACCO LITIGATION SETTLEMENT TRUST FUND PURSUANT TO SECTION  
42 24-22-115.5 (2) (a.7) (I.5).

43  
44 (II) THIS PARAGRAPH (b) SHALL TAKE EFFECT OCTOBER 1, 2006,  
45 ONLY IF HOUSE BILL 06-1402 IS NOT ENACTED AT THE SECOND REGULAR  
46 SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES NOT BECOME  
47 LAW, OR, IF HOUSE BILL 06-1402 IS ENACTED AT THE SECOND REGULAR  
48 SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES BECOME LAW,  
49 IF THE STATE TREASURER NOTIFIES THE REVISOR OF STATUTES PURSUANT  
50 TO SECTION 24-22-107 (4.5), THAT THE STATE TREASURER HAS NOT  
51 ENTERED INTO A PROPERTY SALE CONTRACT, AS DEFINED IN SECTION  
52 24-82.5-103 (11), AS ENACTED BY HOUSE BILL 06-1402.";

53  
54 line 16, strike "amended" and substitute "amended, and the said 22-7-506  
55 (4) (b) is further amended BY THE ADDITION OF A NEW  
56 SUBPARAGRAPH,";

1 line 18, after "(I)", insert "(A)";

2

3 strike lines 19 through 27.

4

5 Page 4, strike lines 1 through 11 and substitute the following:

6

7 "24-75-1104.5 (1) (h), C.R.S., beginning with the ~~2004-05~~ 2006-07 fiscal  
8 year, and for each fiscal year thereafter so long as the state receives  
9 moneys pursuant to the master settlement agreement, the ~~general~~  
10 ~~assembly~~ STATE TREASURER shall annually appropriate TRANSFER to the  
11 cash fund five percent of the amount of moneys ~~transmitted to the state~~  
12 ~~treasurer~~ RECEIVED BY THE STATE in accordance with the master  
13 settlement agreement, other than attorney fees and costs, for the preceding  
14 fiscal year; except that the amount so appropriated TRANSFERRED to the  
15 cash fund in any fiscal year shall not exceed eight million dollars. The  
16 ~~general assembly shall appropriate~~ STATE TREASURER SHALL TRANSFER  
17 the amount specified in this paragraph (b) from moneys credited to the  
18 tobacco litigation settlement cash fund created in section 24-22-115,  
19 C.R.S.

20

21 (B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JULY 1, 2007,  
22 ONLY IF HOUSE BILL 06-1402 IS NOT ENACTED AT THE SECOND REGULAR  
23 SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES NOT BECOME  
24 LAW, OR, IF HOUSE BILL 06-1402 IS ENACTED AT THE SECOND REGULAR  
25 SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES BECOME LAW,  
26 IF THE STATE TREASURER NOTIFIES THE REVISOR OF STATUTES PURSUANT  
27 TO SECTION 24-22-107 (4.5), C.R.S., THAT THE STATE TREASURER HAS  
28 NOT ENTERED INTO A PROPERTY SALE CONTRACT, AS DEFINED IN SECTION  
29 24-82.5-103 (11), C.R.S., AS ENACTED BY HOUSE BILL 06-1402.

30

31 (II.5) (A) EXCEPT AS OTHERWISE PROVIDED IN SECTION  
32 24-75-1104.5 (1) (h), C.R.S., BEGINNING WITH THE 2007-08 FISCAL YEAR,  
33 AND FOR EACH FISCAL YEAR THEREAFTER SO LONG AS THE STATE RECEIVES  
34 MONEYS PURSUANT TO THE MASTER SETTLEMENT AGREEMENT, THE STATE  
35 TREASURER SHALL ANNUALLY TRANSFER TO THE CASH FUND ELEVEN  
36 PERCENT OF THE AMOUNT OF MONEYS RECEIVED BY THE STATE IN  
37 ACCORDANCE WITH THE MASTER SETTLEMENT AGREEMENT, OTHER THAN  
38 ATTORNEY FEES AND COSTS, FOR THE PRECEDING FISCAL YEAR; EXCEPT  
39 THAT THE AMOUNT SO TRANSFERRED TO THE CASH FUND IN ANY FISCAL  
40 YEAR SHALL NOT EXCEED NINETEEN MILLION DOLLARS. THE STATE  
41 TREASURER SHALL TRANSFER THE AMOUNT SPECIFIED IN THIS  
42 SUB-SUBPARAGRAPH (A) FROM MONEYS CREDITED TO THE TOBACCO  
43 LITIGATION SETTLEMENT CASH FUND CREATED IN SECTION 24-22-115,  
44 C.R.S.

45

46 (B) THIS SUBPARAGRAPH (II.5) SHALL TAKE EFFECT OCTOBER 1,  
47 2006, ONLY IF HOUSE BILL 06-1402 IS NOT ENACTED AT THE SECOND  
48 REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES NOT  
49 BECOME LAW, OR, IF HOUSE BILL 06-1402 IS ENACTED AT THE SECOND  
50 REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES  
51 BECOME LAW, IF THE STATE TREASURER NOTIFIES THE REVISOR OF  
52 STATUTES PURSUANT TO SECTION 24-22-107 (4.5), C.R.S., THAT THE  
53 STATE TREASURER HAS NOT ENTERED INTO A PROPERTY SALE CONTRACT,  
54 AS DEFINED IN SECTION 24-82.5-103 (11), C.R.S., AS ENACTED BY HOUSE  
55 BILL 06-1402.

56



1           **SECTION 3.** 24-22-107, Colorado Revised Statutes, is amended  
2 BY THE ADDITION OF A NEW SUBSECTION to read:

3  
4           **24-22-107. Duties and powers of state treasurer - repeal.**  
5 (4.5) (a) IF HOUSE BILL 06-1402 IS ENACTED AT THE SECOND REGULAR  
6 SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND BECOMES LAW, THE  
7 STATE TREASURER SHALL NOTIFY THE REVISOR OF STATUTES AS TO  
8 WHETHER THE STATE TREASURER HAS ENTERED INTO A PROPERTY SALE  
9 CONTRACT, AS DEFINED IN SECTION 24-82.5-103 (11), AS ENACTED BY  
10 HOUSE BILL 06-1402, NO LATER THAN SEPTEMBER 16, 2006.

11  
12           (b) THIS SUBSECTION (4.5) IS REPEALED, EFFECTIVE JULY 1, 2007."

13  
14 Renumber succeeding sections accordingly.

15  
16 Page 5, line 23, strike "and all moneys" and substitute "IN THE CASH FUND,  
17 ~~and~~ all moneys IN THE CASH FUND";

18  
19 line 24, strike "year in the cash fund" and substitute "year, ~~in the cash~~  
20 ~~fund~~ AND ALL MONEYS IN THE CASH FUND NOT REQUIRED FOR TRANSFERS  
21 PURSUANT TO SECTION 24-75-1104.5 (1) IN THE FOLLOWING FISCAL YEAR";

22  
23 line 27, strike "AND ALL MONEYS" and substitute "IN THE CASH FUND, ALL  
24 MONEYS IN THE CASH FUND".

25  
26 Page 6, line 1, strike "YEAR IN THE CASH FUND" and substitute "YEAR, AND  
27 ALL MONEYS IN THE CASH FUND NOT REQUIRED FOR TRANSFERS PURSUANT  
28 TO SECTION 24-75-1104.5 (1) IN THE FOLLOWING FISCAL YEAR";

29  
30 line 6, strike "general";

31  
32 line 7, strike "assembly" and substitute "~~general assembly~~ STATE  
33 TREASURER".

34  
35 Page 7, after line 1, insert the following:

36  
37           **"SECTION 6.** 24-22-115.5 (2) (a.7), Colorado Revised Statutes,  
38 is amended to read:

39  
40           **24-22-115.5. Legislative declaration - tobacco litigation**  
41 **settlement trust fund - creation -repeal.** (2) (a.7) (I) (A) The principal  
42 of the tobacco litigation settlement trust fund shall not be expended or  
43 appropriated for any purpose; except that moneys in the trust fund may be  
44 ~~allocated~~ APPROPRIATED to the children's basic health plan trust as  
45 provided in section 24-75-1104.5 (1) (c).

46  
47           (B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JULY 1, 2007,  
48 ONLY IF HOUSE BILL 06-1402 IS NOT ENACTED AT THE SECOND REGULAR  
49 SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES NOT BECOME  
50 LAW, OR, IF HOUSE BILL 06-1402 IS ENACTED AT THE SECOND REGULAR  
51 SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES BECOME LAW,  
52 IF THE STATE TREASURER NOTIFIES THE REVISOR OF STATUTES PURSUANT  
53 TO SECTION 24-22-107 (4.5) THAT THE STATE TREASURER HAS NOT  
54 ENTERED INTO A PROPERTY SALE CONTRACT, AS DEFINED IN SECTION  
55 24-82.5-103 (11), AS ENACTED BY HOUSE BILL 06-1402.

56

1 (I.5) (A) ON AND AFTER JULY 1, 2007, THE PRINCIPAL OF THE  
2 TOBACCO LITIGATION SETTLEMENT TRUST FUND SHALL NOT BE EXPENDED  
3 OR APPROPRIATED FOR ANY PURPOSE; EXCEPT THAT MONEYS IN THE TRUST  
4 FUND MAY BE TRANSFERRED OR APPROPRIATED AS SPECIFIED IN SECTION  
5 24-75-1104.5 (2) (b) (I).

6  
7 (B) THIS SUBPARAGRAPH (I.5) SHALL TAKE EFFECT OCTOBER 1,  
8 2006, ONLY IF HOUSE BILL 06-1402 IS NOT ENACTED AT THE SECOND  
9 REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES NOT  
10 BECOME LAW, OR, IF HOUSE BILL 06-1402 IS ENACTED AT THE SECOND  
11 REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES  
12 BECOME LAW, IF THE STATE TREASURER NOTIFIES THE REVISOR OF  
13 STATUTES PURSUANT TO SECTION 24-22-107 (4.5), THAT THE STATE  
14 TREASURER HAS NOT ENTERED INTO A PROPERTY SALE CONTRACT, AS  
15 DEFINED IN SECTION 24-82.5-103 (11), AS ENACTED BY HOUSE BILL  
16 06-1402.

17  
18 (I.7) All interest derived from the deposit and investment of  
19 moneys in the TOBACCO LITIGATION SETTLEMENT trust fund shall be  
20 credited to the trust fund. Such interest shall become subject to  
21 appropriation by the general assembly for the funding of any programs or  
22 funds authorized by law to be funded by tobacco litigation settlement  
23 moneys at such time as the state auditor certifies that actuarially sound  
24 projections of future interest earnings indicate that such interest will be  
25 sufficient to fully fund such programs and funds. No part of such THE  
26 trust fund, principal or interest, shall be transferred to the general fund or  
27 any other fund or used or appropriated except as provided in this section.

28  
29 (II) and (III) Repealed."

30  
31 Renumber succeeding sections accordingly.

32  
33 Page 7, line 5, after "(c)", insert "(I) (A)";

34  
35 line 7, strike "THROUGH THE 2006-07 FISCAL YEAR";

36  
37 strike line 14 and substitute the following:  
38 "year shall not exceed five million dollars.

39  
40 (B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JULY 1, 2007,  
41 ONLY IF HOUSE BILL 06-1402 IS NOT ENACTED AT THE SECOND REGULAR  
42 SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES NOT BECOME  
43 LAW, OR, IF HOUSE BILL 06-1402 IS ENACTED AT THE SECOND REGULAR  
44 SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES BECOME LAW,  
45 IF THE STATE TREASURER NOTIFIES THE REVISOR OF STATUTES PURSUANT  
46 TO SECTION 24-22-107 (4.5), C.R.S., THAT THE STATE TREASURER HAS  
47 NOT ENTERED INTO A PROPERTY SALE CONTRACT, AS DEFINED IN SECTION  
48 24-82.5-103 (11), C.R.S., AS ENACTED BY HOUSE BILL 06-1402.

49  
50 (II) (A) BEGINNING IN THE 2007-08";

51  
52 line 18, strike "TEN" and substitute "NINE";

53  
54 strike line 23 and substitute the following:

55  
56 "ANY FISCAL YEAR SHALL NOT EXCEED FIFTEEN MILLION DOLLARS.

1 (B) THIS SUBPARAGRAPH (II) SHALL TAKE EFFECT OCTOBER 1,  
 2 2006, ONLY IF HOUSE BILL 06-1402 IS NOT ENACTED AT THE SECOND  
 3 REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES NOT  
 4 BECOME LAW, OR, IF HOUSE BILL 06-1402 IS ENACTED AT THE SECOND  
 5 REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY AND DOES  
 6 BECOME LAW, IF THE STATE TREASURER NOTIFIES THE REVISOR OF  
 7 STATUTES PURSUANT TO SECTION 24-22-107 (4.5), C.R.S., THAT THE  
 8 STATE TREASURER HAS NOT ENTERED INTO A PROPERTY SALE CONTRACT,  
 9 AS DEFINED IN SECTION 24-82.5-103 (11), C.R.S., AS ENACTED BY HOUSE  
 10 BILL 06-1402.

11  
 12 (III) The".

13  
 14  
 15  
 16  
 17 **HEALTH & HUMAN SERVICES**

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

20  
 21 **SB06-198** be amended as follows, and as so amended, be referred to  
 22 the Committee of the Whole with favorable  
 23 recommendation:

24  
 25 Amend reengrossed bill, strike everything below the enacting clause and  
 26 substitute the following:

27  
 28 "SECTION 1. Title 6, Colorado Revised Statutes, is amended BY  
 29 THE ADDITION OF A NEW ARTICLE to read:

30  
 31 **ARTICLE 21**  
 32 **Contracts With Health Care Providers**

33  
 34 **6-21-101. Health care contracts - required provisions -**  
 35 **definitions.** (1) ON AND AFTER JANUARY 1, 2007, A PERSON OR ENTITY  
 36 THAT CONTRACTS WITH A HEALTH CARE PROVIDER SHALL COMPLY WITH  
 37 THE PROVISIONS OF THIS SECTION AND SHALL INCLUDE THE PROVISIONS  
 38 REQUIRED BY THIS SECTION IN THE CONTRACT. A CONTRACT IN EXISTENCE  
 39 PRIOR TO JANUARY 1, 2007, THAT IS RENEWED OR RENEWS BY ITS TERMS  
 40 SHALL COMPLY WITH THE PROVISIONS OF THIS SECTION AND SHALL  
 41 INCLUDE THE PROVISIONS REQUIRED BY THIS SECTION IN THE RENEWED  
 42 CONTRACT NO LATER THAN DECEMBER 31, 2007.

43  
 44 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
 45 REQUIRES:

46  
 47 (a) "EDIT" MEANS AN ADJUSTMENT TO A PRACTICE OR PROCEDURE  
 48 BY WHICH PAYMENT OR COMPENSATION FOR A SERVICE IS MADE OR TO A  
 49 PROCEDURE CODE, INCLUDING THE AMERICAN MEDICAL ASSOCIATION'S  
 50 CURRENT PROCEDURAL TERMINOLOGY CODE AND THE CENTERS FOR  
 51 MEDICARE AND MEDICAID SERVICES HEALTH CARE COMMON PROCEDURE  
 52 CODING SYSTEM THAT IS USED IN A PROVIDER'S CLAIM FOR PAYMENT OR  
 53 COMPENSATION THAT RESULTS IN:

54  
 55 (I) PAYMENT FOR SOME, BUT NOT ALL, OF THE CODES;

56

1 (II) PAYMENT FOR A DIFFERENT CODE; OR

2

3 (III) A REDUCED PAYMENT AS A RESULT OF SERVICES PROVIDED  
4 TO A PATIENT THAT ARE CLAIMED UNDER MORE THAN ONE CODE ON THE  
5 SAME SERVICE DATE.

6

7 (b) "HEALTH CARE CONTRACT" MEANS A CONTRACT ENTERED INTO  
8 OR RENEWED BETWEEN A PERSON OR ENTITY AND A HEALTH CARE  
9 PROVIDER FOR THE DELIVERY OF HEALTH CARE SERVICES TO OTHERS.

10

11 (c) "HEALTH CARE PROVIDER" MEANS A PERSON LICENSED OR  
12 CERTIFIED IN THIS STATE TO PRACTICE MEDICINE, PHARMACY,  
13 CHIROPRACTIC, NURSING, PHYSICAL THERAPY, PODIATRY, DENTISTRY,  
14 OPTOMETRY, OCCUPATIONAL THERAPY, OR OTHER HEALING ARTS.  
15 "HEALTH CARE PROVIDER" ALSO MEANS AN AMBULATORY SURGICAL  
16 CENTER, A LICENSED PHARMACY OR PROVIDER OF PHARMACY SERVICES,  
17 A PROFESSIONAL CORPORATION, OR OTHER CORPORATE ENTITY COMPRISED  
18 OF LICENSED HEALTH CARE PROVIDERS AS PERMITTED BY THE LAWS OF  
19 THIS STATE.

20

21 (d) "MATERIAL CHANGE" MEANS A CHANGE THAT DECREASES THE  
22 HEALTH CARE PROVIDER'S PAYMENT OR COMPENSATION, CHANGES THE  
23 ADMINISTRATIVE PROCEDURES IN A WAY THAT MAY REASONABLY BE  
24 EXPECTED TO SIGNIFICANTLY INCREASE THE PROVIDERS'S ADMINISTRATIVE  
25 EXPENSE, OR ADDS A NEW PRODUCT LINE.

26

27 (e) "PERSON OR ENTITY" MEANS A PERSON OR ENTITY THAT HAS A  
28 PRIMARY BUSINESS PURPOSE OF CONTRACTING WITH HEALTH CARE  
29 PROVIDERS FOR THE DELIVERY OF HEALTH CARE SERVICES.

30

31 (f) "PRODUCT" MEANS A PRODUCT LINE OR SET OF SERVICES FOR  
32 HEALTH SERVICES, INCLUDING, BUT NOT LIMITED TO A PREFERRED  
33 PROVIDER ORGANIZATION OR HEALTH MAINTENANCE ORGANIZATION  
34 PRODUCT OR A MEDICARE, MEDICAID, OR WORKERS' COMPENSATION  
35 PRODUCT AS ESTABLISHED BY A PERSON OR ENTITY AND FOR WHICH THE  
36 HEALTH CARE PROVIDER MAY BE OBLIGATED TO PROVIDE SERVICES  
37 PURSUANT TO A CONTRACT.

38

39 (3) (a) EACH CONTRACT SHALL HAVE A SUMMARY DISCLOSURE  
40 FORM DISCLOSING IN PLAIN LANGUAGE THE FOLLOWING INFORMATION:

41

42 (I) THE COMPENSATION AND PAYMENT TERMS;

43

44 (II) ANY PRODUCT FOR WHICH THE HEALTH CARE PROVIDER IS TO  
45 PROVIDE SERVICE;

46

47 (III) THE TERM OF THE CONTRACT AND HOW THE CONTRACT MAY  
48 BE TERMINATED;

49

50 (IV) THE IDENTITY OF THE PERSON OR ENTITY RESPONSIBLE FOR  
51 THE PROVIDER'S COMPENSATION OR PAYMENT;

52

53 (V) ANY INTERNAL MECHANISM PROVIDED BY THE PERSON OR  
54 ENTITY TO RESOLVE DISPUTES CONCERNING THE INTERPRETATION OR  
55 APPLICATION OF THE TERMS OR CONDITIONS OF THE CONTRACT;

56

1 (VI) ANY PROVISIONS FOR THE AMENDMENT OF THE CONTRACT;  
2 AND

3  
4 (VII) THE ORDER OF ADDENDA, IF ANY, TO THE CONTRACT.

5  
6 (b) IF THE CONTRACT PROVIDES FOR TERMINATION FOR CAUSE BY  
7 EITHER PARTY, THE CONTRACT SHALL STATE THE REASONS THAT MAY BE  
8 USED FOR TERMINATION FOR CAUSE, WHICH TERMS SHALL NOT BE  
9 UNREASONABLE, AND THE CONTRACT SHALL STATE THE TIME BY WHICH  
10 NOTICE OF TERMINATION FOR CAUSE SHALL BE PROVIDED AND TO WHOM  
11 THE NOTICE SHALL BE GIVEN.

12  
13 (c) IF A PERSON OR ENTITY USES UTILIZATION MANAGEMENT,  
14 QUALITY IMPROVEMENT, OR A SIMILAR PROGRAM TO REVIEW, MONITOR,  
15 EVALUATE, OR ASSESS THE SERVICES PROVIDED PURSUANT TO A  
16 CONTRACT SUBJECT TO THIS SECTION, THE POLICIES, PROCEDURES, OR  
17 GUIDELINES OF SUCH PROGRAM SHALL BE DISCLOSED UPON REQUEST OF  
18 THE HEALTH CARE PROVIDER WITHIN FOURTEEN DAYS AFTER THE DATE OF  
19 THE REQUEST.

20  
21 (4) (a) THE DISCLOSURE OF PAYMENT AND COMPENSATION TERMS  
22 PURSUANT TO SUBSECTION (3) OF THIS SECTION SHALL INCLUDE  
23 INFORMATION SUFFICIENT FOR THE HEALTH CARE PROVIDER TO DETERMINE  
24 THE COMPENSATION OR PAYMENT FOR THE HEALTH CARE SERVICES, AND  
25 SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

26  
27 (I) THE MANNER OF PAYMENT, SUCH AS FEE-FOR-SERVICE,  
28 CAPITATION, OR RISK WITHHOLD PAYMENTS.

29  
30 (II) THE FEE SCHEDULE FOR SERVICE PROVIDED PURSUANT TO THE  
31 CONTRACT, INCLUDING, AS MAY BE APPLICABLE, SERVICE OR PROCEDURE  
32 CODES SUCH AS CURRENT PROCEDURAL TERMINOLOGY CODES OR  
33 HEALTHCARE COMMON PROCEDURE CODING SYSTEM CODES AND THE  
34 ASSOCIATED PAYMENT OR COMPENSATION FOR EACH SERVICE CODE. A  
35 FEE SCHEDULE MAY BE PROVIDED ELECTRONICALLY. UPON REQUEST, A  
36 PERSON OR ENTITY SHALL PROVIDE A HEALTH CARE PROVIDER WITH A  
37 WRITTEN FEE SCHEDULE, WHICH SHALL NOT BE REQUIRED MORE  
38 FREQUENTLY THAN TWICE PER YEAR EXCLUDING WHEN IT IS PROVIDED IN  
39 CONNECTION WITH ANY CHANGE TO THE SCHEDULE. THE PERSON OR  
40 ENTITY SHALL ALSO STATE THE EFFECT, IF ANY, ON PAYMENT OR  
41 COMPENSATION IF MORE THAN ONE SERVICE OR PROCEDURE CODE APPLIES  
42 TO THE SERVICE. A PERSON OR ENTITY MAY SATISFY THIS REQUIREMENT  
43 BY PROVIDING A CLEARLY UNDERSTANDABLE, READILY AVAILABLE  
44 MECHANISM, SUCH AS THROUGH A WEBSITE, THAT ALLOWS A HEALTH CARE  
45 PROVIDER TO DETERMINE THE EFFECT OF SERVICE CODES ON PAYMENT OR  
46 COMPENSATION BEFORE SERVICE IS PROVIDED OR A CLAIM IS SUBMITTED.

47  
48 (III) THE METHODOLOGY USED TO CALCULATE ANY FEE SCHEDULE,  
49 SUCH AS RELATIVE VALUE UNIT SYSTEM AND CONVERSION FACTOR,  
50 PERCENTAGE OF MEDICARE PAYMENT SYSTEM, OR PERCENTAGE OF BILLED  
51 CHARGES. AS APPLICABLE, THE METHODOLOGY DISCLOSURE SHALL  
52 INCLUDE THE NAME OF ANY RELATIVE VALUE SYSTEM, ITS VERSION,  
53 EDITION, OR PUBLICATION DATE, ANY APPLICABLE CONVERSION OR  
54 GEOGRAPHIC FACTOR, AND ANY DATE BY WHICH COMPENSATION OR FEE  
55 SCHEDULES MAY BE CHANGED BY SUCH METHODOLOGY AS ANTICIPATED  
56 AT THE TIME OF CONTRACTING.

1 (IV) ANY INTERNAL PROCESSING AND EDITS USED BY THE PERSON  
2 OR ENTITY, INCLUDING, BUT NOT LIMITED TO, THE PUBLISHER, PRODUCT  
3 NAME, VERSION, AND VERSION UPDATE OF ANY EDITING SOFTWARE USED  
4 BY THE PERSON OR ENTITY.

5  
6 (b) NOTWITHSTANDING ANYTHING IN THIS SUBSECTION (4) TO THE  
7 CONTRARY, DISCLOSURE OF A FEE SCHEDULE IS NOT REQUIRED FROM A  
8 PERSON OR ENTITY IF THE FEE SCHEDULE IS FOR A PLAN FOR DENTAL  
9 SERVICES, ITS PROVIDERS INCLUDE LICENSED DENTISTS, THE FEE SCHEDULE  
10 IS BASED UPON FEES FILED WITH THE PERSON OR ENTITY BY DENTAL  
11 PROVIDERS, AND THE FEE SCHEDULE IS REVISED BASED UPON SUCH  
12 FILINGS.

13  
14 (5) WHEN A PROPOSED CONTRACT IS PRESENTED BY A PERSON OR  
15 ENTITY FOR CONSIDERATION BY A HEALTH CARE PROVIDER, THE PERSON  
16 OR ENTITY MUST PROVIDE IN WRITING OR MAKE REASONABLY AVAILABLE  
17 THE INFORMATION REQUIRED IN SUBSECTION (4) OF THIS SECTION. IF THE  
18 INFORMATION IS NOT DISCLOSED IN WRITING, IT SHALL BE DISCLOSED IN A  
19 MANNER THAT ALLOWS THE HEALTH CARE PROVIDER TO EVALUATE THE  
20 PROVIDER'S PAYMENT OR COMPENSATION FOR SERVICES UNDER THE  
21 CONTRACT. AFTER THE CONTRACT IS EXECUTED, DISCLOSURE OF THE  
22 INFORMATION REQUIRED BY SUBSECTION (4) OF THIS SECTION SHALL BE  
23 MADE AVAILABLE UPON REQUEST BY THE HEALTH CARE PROVIDER. SUCH  
24 INFORMATION NEED NOT BE MADE AVAILABLE IN WRITTEN FORMAT MORE  
25 THAN TWICE A YEAR.

26  
27 (6) (a) A MATERIAL CHANGE TO A CONTRACT SHALL OCCUR ONLY  
28 IF A DESCRIPTION OF THE NATURE OF THE CHANGE AND THIRTY DAYS  
29 WRITTEN NOTICE BEFORE THE EFFECTIVE DATE OF THE CHANGE ARE GIVEN  
30 TO THE OTHER PARTY.

31  
32 (b) A MATERIAL CHANGE SHALL BE EFFECTIVE UNLESS, WITHIN  
33 THIRTY DAYS AFTER THE EFFECTIVE DATE OF THE CHANGE, THE PROVIDER  
34 OBJECTS IN WRITING TO THE CHANGE.

35  
36 (c) IF, WITHIN SIXTY DAYS AFTER THE EFFECTIVE DATE OF A  
37 CONTRACT CHANGE NO RESOLUTION OF THE OBJECTION OCCURS, EITHER  
38 PARTY TO THE CONTRACT MAY TERMINATE THE CONTRACT.

39  
40 (d) IF A CHANGE TO THE CONTRACT IS ADMINISTRATIVE ONLY AND  
41 IS NOT A MATERIAL CHANGE, THE CHANGE SHALL BE EFFECTIVE UPON  
42 FIFTEEN DAYS NOTICE TO THE PROVIDER.

43  
44 (e) THE PROVISIONS OF THIS SUBSECTION (6) DO NOT APPLY IF THE  
45 HEALTH CARE PROVIDER'S PAYMENT OR COMPENSATION IS BASED ON THE  
46 CURRENT MEDICARE PHYSICIAN FEE SCHEDULE FINAL RULE AS PUBLISHED  
47 ANNUALLY IN THE FEDERAL REGISTER AND THE CHANGE IN PAYMENT OR  
48 COMPENSATION RESULTS SOLELY FROM A CHANGE IN THE MEDICARE  
49 PHYSICIAN FEE SCHEDULE.

50  
51 (7) A PERSON OR ENTITY SHALL NOT REQUIRE AS A CONDITION OF  
52 CONTRACTING THAT A PROVIDER PROVIDE SERVICES UNDER MORE THAN  
53 ONE PRODUCT OFFERED BY THE PERSON OR ENTITY.

54  
55 (8) A PERSON OR ENTITY EXECUTING A CONTRACT TO WHICH THIS  
56 SECTION APPLIES SHALL NOT SELL, RENT, OR GIVE ITS PROVIDER NETWORK

1 INFORMATION TO ANY OTHER PERSON OR ENTITY. A PERSON OR ENTITY,  
2 OTHER THAN THE PERSON OR ENTITY THAT EXECUTES A CONTRACT TO  
3 WHICH THIS SECTION APPLIES, SHALL NOT ENFORCE AGAINST THE HEALTH  
4 CARE PROVIDER THE PAYMENT OR COMPENSATION TERMS OF THE  
5 CONTRACT UNLESS THE OTHER PERSON OR ENTITY IS CONTRACTUALLY  
6 BOUND TO ALL TERMS AND CONDITIONS OF THE CONTRACT EXECUTED BY  
7 THE PROVIDER AND:

8  
9 (a) THE OTHER PERSON OR ENTITY IS CLEARLY IDENTIFIED IN THE  
10 CONTRACT EXECUTED BY THE PROVIDER; OR

11  
12 (b) BEFORE HEALTH CARE SERVICES ARE PROVIDED, THE  
13 CONTRACT IS AMENDED BY A WRITING IN WHICH THE HEALTH CARE  
14 PROVIDER AGREES TO PROVIDE HEALTH CARE SERVICES FOR THE PAYMENT  
15 OR COMPENSATION DESCRIBED IN THE CONTRACT TO BE PAID BY THE  
16 OTHER PERSON OR ENTITY.

17  
18 (9) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (6) OF  
19 THIS SECTION, A CONTRACT SUBJECT TO THIS SECTION MAY BE MODIFIED,  
20 WITHOUT THE NEED FOR AMENDMENT, BY OPERATION OF LAW AS  
21 REQUIRED BY ANY APPLICABLE STATE OR FEDERAL LAW OR REGULATION.  
22 NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE THE  
23 RENEGOTIATION OF A CONTRACT IN EXISTENCE BEFORE THE APPLICABLE  
24 COMPLIANCE DATE IN THIS SECTION.

25  
26 (10) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (18) OF  
27 THIS SECTION, NOTHING IN THIS SECTION SHALL PROHIBIT A PERSON OR  
28 ENTITY OR A HEALTH CARE PROVIDER FROM INCLUDING IN A CONTRACT AN  
29 AGREEMENT FOR BINDING ARBITRATION.

30  
31 (11) A PERSON OR ENTITY SHALL NOT REQUIRE AS A CONDITION OF  
32 CONTRACTING THAT A HEALTH CARE PROVIDER WAIVE OR FOREGO ANY  
33 RIGHT OR BENEFIT TO WHICH THE HEALTH CARE PROVIDER MAY BE  
34 ENTITLED UNDER STATE OR FEDERAL LAW.

35  
36 (12) A CONTRACT SUBJECT TO THIS SECTION SHALL NOT INTERFERE  
37 WITH A HEALTH CARE PROVIDER'S RIGHT TO SET THE HEALTH CARE  
38 PROVIDER'S PAYOR-MIX RATIO IN THE HEALTH CARE PROVIDER'S  
39 PRACTICE.

40  
41 (13) A TERM FOR COMPENSATION OR PAYMENT SHALL NOT  
42 SURVIVE THE TERMINATION OF A CONTRACT, EXCEPT WITH THE  
43 AGREEMENT OF THE HEALTH CARE PROVIDER OR WHERE A HEALTH CARE  
44 PROVIDER MAY BE REQUIRED TO CONTINUE UNDER THE CONTRACT TO  
45 PROVIDE SERVICES BY LAW.

46  
47 (14) A CONTRACT SHALL NOT PRECLUDE ITS USE OR DISCLOSURE  
48 FOR THE PURPOSE OF ENFORCING THE PROVISIONS OF THIS SECTION OR  
49 OTHER STATE OR FEDERAL LAW.

50  
51 (15) EACH CONTRACT SHALL PROVIDE THAT THE PERSON OR  
52 ENTITY AND THE HEALTH CARE PROVIDER SHALL HAVE NO LESS THAN  
53 NINETY DAYS AFTER WRITTEN NOTICE TO THE OTHER PARTY TO  
54 TERMINATE THE CONTRACT WITHOUT CAUSE.

55  
56 (16) THIS SECTION SHALL NOT APPLY TO:

1 (a) AN ORGANIZATION THAT EXCLUSIVELY CONTRACTS WITH A  
2 SINGLE MEDICAL GROUP IN A SPECIFIC GEOGRAPHIC AREA TO PROVIDE OR  
3 ARRANGE FOR HEALTH CARE SERVICES;

4  
5 (b) AN EMPLOYMENT CONTRACT OR ARRANGEMENT BETWEEN AN  
6 INDIVIDUAL PROVIDER OR A CORPORATE ENTITY CONSISTING OF HEALTH  
7 CARE PROVIDERS AND ANOTHER HEALTH CARE PROVIDER;

8  
9 (c) A CONTRACT BETWEEN A PERSON OR ENTITY AND A HEALTH  
10 CARE FACILITY LICENSED PURSUANT TO SECTION 25-3-101, C.R.S.;

11  
12 (d) A CONTRACT FOR HEALTH CARE SERVICES THROUGH A  
13 PROGRAM FOR WORKERS' COMPENSATION, MEDICAID OR MEDICARE  
14 PROGRAM, THE CHILDREN'S BASIC HEALTH PLAN PROVIDED FOR IN ARTICLE  
15 19 OF TITLE 26, C.R.S., OR THE COLORADO INDIGENT CARE PROGRAM  
16 CREATED IN PART 1 OF ARTICLE 15 OF TITLE 26, C.R.S; OR

17  
18 (e) CONTRACTS BETWEEN A PERSON OR ENTITY FOR PHARMACY  
19 BENEFIT MANAGEMENT, SUCH AS WITH A PHARMACY BENEFIT  
20 MANAGEMENT FIRM AS DEFINED IN SECTION 10-16-102 (29.5), C.R.S. THIS  
21 EXCLUSION SHALL NOT INCLUDE A CONTRACT FOR HEALTH CARE SERVICES  
22 BETWEEN A PERSON OR ENTITY AND A PHARMACY, A PHARMACIST, OR A  
23 PROFESSIONAL CORPORATION OR CORPORATE ENTITY COMPRISED OF  
24 PHARMACIES OR PHARMACISTS AS PERMITTED BY THE LAWS OF THIS STATE.

25  
26 (17) NOTWITHSTANDING THE APPLICABLE COMPLIANCE DATE  
27 REQUIREMENT IN SUBSECTION (1) OF THIS SECTION, A HEALTH  
28 MAINTENANCE ORGANIZATION HAVING FEWER THAN FIFTEEN THOUSAND  
29 ENROLLEES SHALL COMPLY WITH THE PROVISIONS OF THIS SECTION WITHIN  
30 TWELVE MONTHS AFTER THE APPLICABLE COMPLIANCE DATE.

31  
32 (18) A CONTRACT SHALL NOT LIMIT A HEALTH CARE PROVIDER'S  
33 REMEDIES AT LAW OR EQUITY OR FOR A BREACH OF CONTRACT AND  
34 NOTHING SHALL PROHIBIT THE ENFORCEMENT OF THE PROVISIONS OF THIS  
35 SECTION IN A COURT OF GENERAL JURISDICTION IN THIS STATE. IF A  
36 HEALTH CARE PROVIDER PREVAILS IN ANY CIVIL ACTION OR ARBITRATION  
37 WHICH, IN WHOLE OR IN PART, SEEKS TO ENFORCE THE PROVISIONS OF THIS  
38 SECTION, THE REASONABLE ATTORNEY FEES AND COSTS RELATED TO  
39 ENFORCEMENT SHALL BE AWARDED TO THE HEALTH CARE PROVIDER.

40  
41 **SECTION 2. Effective date.** This act shall take effect at 12:01  
42 a.m. on the day following the expiration of the ninety-day period after  
43 final adjournment of the general assembly that is allowed for submitting  
44 a referendum petition pursuant to article V, section 1 (3) of the state  
45 constitution (August 9, 2006, if adjournment sine die is on May 10,  
46 2006); except that, if a referendum petition is filed against this act or an  
47 item, section, or part of this act within such period, then the act, item,  
48 section, or part, if approved by the people, shall take effect on the date of  
49 the official declaration of the vote thereon by proclamation of the  
50 governor."

51  
52  
53  
54 **SB06-219** be amended as follows, and as so amended, be referred to  
55 the Committee of the Whole with favorable  
56 recommendation:



1 Amend reengrossed bill, page 361, strike lines 17 through 27.

2

3 Page 362, strike lines 1 through 3.

4

5 Renumber succeeding sections accordingly.

6

7 Page 376, strike lines 12 through 14 and substitute the following:

8

9 ~~"title; except that adult foster care and home care allowance and the~~  
10 ~~treatment program for high-risk pregnant women shall be administered by~~  
11 ~~the department of health care policy and financing;"~~.

12

13 Page 381, strike lines 6 through 13 and substitute the following:

14

15 "(5) THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING  
16 SHALL CONTINUE TO CONTRACT WITH THE SINGLE ENTRY POINT AGENCIES  
17 FOR THE FINANCING, ASSESSMENT, AND CASE MANAGEMENT FUNCTIONS  
18 OF THE HOME CARE ALLOWANCE AND ADULT FOSTER CARE PROGRAMS."

19

20 Renumber succeeding sections accordingly.

21

22 Page 423, strike lines 1 through 6.

23

24 Renumber succeeding sections accordingly.

25

26

27

28 **SB06-227** be amended as follows, and as so amended, be referred to  
29 the Committee on Appropriations with favorable  
30 recommendation:

31

32 Amend reengrossed bill, page 3, line 1, strike "WAGES." and substitute  
33 "WAGES; EXCEPT THAT "EMPLOYER" DOES NOT INCLUDE THE FEDERAL  
34 GOVERNMENT, THE STATE OF COLORADO, ANOTHER STATE, OR A  
35 POLITICAL SUBDIVISION OF COLORADO OR ANOTHER STATE.";

36

37 line 24, strike "OCTOBER" and substitute "DECEMBER";

38

39 line 25, after "ASSEMBLY", insert "AND THE DEPARTMENT OF LABOR AND  
40 EMPLOYMENT";

41

42 line 27, strike "SUBSECTION (3) OF THIS SECTION" and substitute "THIS  
43 SUBSECTION (2)".

44

45 Page 4, line 21, strike "JANUARY" and substitute "MARCH";

46

47 line 24, strike "SHALL" and substitute "SHALL, AFTER NOTIFICATION BY  
48 THE DEPARTMENT OF LABOR AND EMPLOYMENT THAT THE EMPLOYER  
49 MEETS THIS REQUIREMENT,".

50

51

52

53 **SB06-230** be amended as follows, and as so amended, be referred to  
54 the Committee on Finance with favorable  
55 recommendation:

56

- 1 Amend reengrossed bill, page 4, line 17, strike "PARTNER OR THE" and  
2 substitute "PARTNER, THIRD-PARTY LOGISTICS PROVIDER, OR";  
3  
4 line 18, strike "MANUFACTURER'S";  
5  
6 line 21, after "THAT", insert "MANUFACTURER'S THIRD-PARTY LOGISTICS  
7 PROVIDER OR";  
8  
9 line 22, strike "MANUFACTURER'S".  
10  
11 Page 5, line 9, strike "WITHIN THE" and substitute "THAT LEAVES THE  
12 NORMAL".  
13  
14 Page 6, after line 9, insert the following:  
15  
16 "(p) "THIRD-PARTY LOGISTICS PROVIDER" MEANS ANYONE WHO  
17 CONTRACTS WITH A MANUFACTURER TO PROVIDE OR COORDINATE  
18 WAREHOUSING, DISTRIBUTION, OR OTHER SERVICES ON BEHALF OF A  
19 MANUFACTURER, BUT DOES NOT TAKE TITLE TO A PRESCRIPTION DRUG OR  
20 HAVE GENERAL RESPONSIBILITY TO DIRECT THE PRESCRIPTION DRUG'S  
21 SALE OR DISPOSITION. A THIRD-PARTY LOGISTICS PROVIDER MUST BE  
22 LICENSED AS A WHOLESALE DISTRIBUTOR UNDER THIS PART 8."  
23  
24 Reletter succeeding paragraph accordingly.  
25  
26 Page 9, line 14, after "MANUFACTURER", insert "AND THAT  
27 MANUFACTURER'S THIRD-PARTY LOGISTICS PROVIDERS TO THE EXTENT  
28 INVOLVING THAT MANUFACTURER'S DRUGS UNDER CONTRACT,";  
29  
30 line 25, strike "AN" and substitute "FOR THE PURPOSES OF THIS  
31 SUBSECTION (2), AN";  
32  
33 line 27, strike "FROM:".  
34  
35 Page 10, line 1, strike "(A) THE" and substitute "FROM THE";  
36  
37 line 2, strike "OR";  
38  
39 line 3, strike "(B) AN" and substitute "(II) ACCREDITATION OR  
40 CERTIFICATION FROM AN" and, strike "AND" and substitute "OR";  
41  
42 line 4, strike "(II)" and substitute "(III)";  
43  
44 line 26, after "CORPORATION;", insert "THE NAME OF THE LIMITED  
45 LIABILITY COMPANY, IF THE APPLICANT IS A LIMITED LIABILITY COMPANY,  
46 AND THE NAME OF THE PARENT COMPANY, IF ANY, AND STATE OF  
47 INCORPORATION OF BOTH;".  
48  
49 Page 12, line 25, strike "BOARD" and substitute "BOARD, STATE BOARD OF  
50 PHARMACY,";  
51  
52 line 27, strike "A PHARMACY BUYING COOPERATIVE".  
53  
54 Page 13, strike lines 1 through 3;  
55  
56 line 27, strike "AND".

1 Page 14, line 2, strike "LAW." and substitute "LAW; AND";

2

3 after line 2, insert the following:

4

5 "(i) UPDATE ALL OF THE INFORMATION REQUIRED IN THIS PART 8  
6 WHENEVER CHANGES OCCUR.";

7

8 after line 20, insert the following:

9

10 "(b) A PHARMACY BUYING COOPERATIVE WAREHOUSE;"

11

12 Reletter succeeding paragraphs accordingly.

13

14 Page 14, strike line 27.

15

16 Page 15, strike lines 1 through 4.

17

18 Page 19, line 7, strike "TWO" and substitute "FIVE";

19

20 strike lines 15 through 27.

21

22 Renumber succeeding C.R.S. section accordingly.

23

24

25

26 On motion of Representative Garcia **HB06-1410, 1412, SB06-001** were  
27 added to the Second Special Orders Calendar on Tuesday, May 2, 2006.

28

29

30 On motion of Representative Buescher, the House resolved itself into  
31 Committee of the Whole for consideration of Special Orders and he was  
32 called to the Chair to act as Chairman.

33

34

35 **SECOND SPECIAL ORDERS--SECOND READING OF BILLS**

36

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

41

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

44

45 **HB06-1410** by Representative(s) Plant, Benefield, Marshall,  
46 McCluskey, Knoedler, Sullivan, White; also Senator(s)  
47 Groff--Concerning creation of the health disparities grant  
48 program fund.

49

50 Amendment No. 1, Appropriations Report, dated May 2, 2006, and placed  
51 in member's bill file; Report also printed in House Journal, May 2, pages  
52 1663-1664.

53

54 As amended, ordered engrossed and placed on the Calendar for Third  
55 Reading and Final Passage.

56

1 **SB06-065** by Senator(s) Windels; also Representative(s) McKinley--  
2 Concerning the capital construction needs of Colorado  
3 public schools, and making an appropriation therefor.  
4

5 Amendment No. 1, by Representative Kerr A.  
6

7 Strike the Appropriations Committee Report, dated April 27, 2006.  
8

9 Ordered revised and placed on the Calendar for Third Reading and Final  
10 Passage.  
11

12 **SB06-224** by Senator(s) Traylor, Grossman, Tupa; also  
13 Representative(s) Harvey, Carroll T.--Concerning event  
14 data recorded as a motor vehicle feature.  
15

16 Amendment No. 1, Transportation & Energy Report, dated April 26,  
17 2006, and placed in member's bill file; Report also printed in House  
18 Journal, April 27, pages 1500-150.  
19

20 Amendment No. 2, by Representative Harvey.  
21

22 Amend the Transportation and Energy Committee Report, dated April 26,  
23 2006, page 1, line 15, strike "INCEPTION.";" and substitute the following:  
24

25 "INCEPTION."  
26

27 (4) "OWNER'S AGENT" MEANS A NATURAL PERSON AUTHORIZED BY  
28 THE OWNER WITHIN THE LAST THIRTY DAYS OR THE OWNER'S  
29 REPRESENTATIVE AS DEFINED BY SECTION 13-20-702 (3).";"  
30

31 Page 2 of the committee report, line 2, strike "'PROMINENTLY";" and  
32 substitute "'IN BOLD-FACED TYPE";";  
33

34 line 7, after "RECORDER", insert "IS THE PERSONAL INFORMATION OF THE  
35 MOTOR VEHICLE'S OWNER, AND THEREFORE, SUCH INFORMATION".  
36

37 Page 3, strike line 2 and substitute the following:  
38

39 "HAS CONSENTED TO THE RELEASE OF THE DATA WITHIN THE LAST THIRTY  
40 DAYS;";  
41

42 line 21, after "FOR", insert "DISCONTINUING THE SUBSCRIPTION SERVICE  
43 OR FOR";  
44

45 line 22, after "RECORDER", insert "BY A TRAINED SERVICE TECHNICIAN".  
46

47 Amendment No. 3, by Representative Harvey.  
48

49 Amend the Transportation & Energy Committee Report, dated April 26,  
50 2006, page 3, line 18, after "(4)", insert "(a)";  
51

52 after line 25, insert the following:  
53

54 "(b) SUBSECTIONS (2) AND (3) OF THIS SECTION SHALL NOT APPLY  
55 TO SUBSCRIPTION SERVICES MEETING THE REQUIREMENTS OF PARAGRAPH  
56 (a) OF THIS SUBSECTION (4).".

1 Amendment No. 4, by Representative Carroll T.

2

3 Amend the Transportation and Energy Committee Report, dated April 26,  
4 2006, page 2, strike lines 13 through 15 and substitute the following:

5

6 "(b) THE DATA IS SUBJECT TO DISCOVERY PURSUANT TO THE RULES  
7 OF CIVIL PROCEDURE IN A CLAIM ARISING OUT OF A MOTOR VEHICLE  
8 ACCIDENT;".

9

10 Page 3 of the committee report, strike lines 3 through 5 and substitute the  
11 following:

12

13 "(II) THE DATA IS SUBJECT TO DISCOVERY PURSUANT TO THE  
14 RULES OF CIVIL PROCEDURE IN A CLAIM ARISING OUT OF A MOTOR VEHICLE  
15 ACCIDENT;".

16

17 As amended, ordered revised and placed on the Calendar for Third  
18 Reading and Final Passage.

19

20 **HB06-1412** by Representative(s) Plant--Concerning the allocation of  
21 tobacco litigation settlement revenues, and, in connection  
22 therewith, increasing the allocations of such revenues for  
23 the read-to-achieve grant program and the Tony Grampsas  
24 youth services program and requiring any such revenues  
25 not allocated to tobacco settlement programs to be credited  
26 to the tobacco litigation settlement trust fund.

27

28 Amendment No. 1, Appropriations Report, dated May 2, 2006, and placed  
29 in member's bill file; Report also printed in House Journal, May 2,  
30 pages 1664-1671.

31

32 Amendment No. 2, by Representative Plant.

33

34 Amend the Appropriations Committee Report, dated May 2, 2006, page  
35 9, strike line 1 and substitute the following:

36

37 "Page 7, line 2, strike "(2) (c), Colorado Revised Statutes, is" and  
38 substitute "(2) (a), (2) (b), and (2) (c), Colorado Revised Statutes are";

39

40 strike line 5 and substitute the following:

41

42 "**creation - standards - applications.** (2) (a) The Tony Grampsas youth  
43 services program shall be administered through the division. Subject to  
44 the ~~designation~~ DESIGNATIONS in paragraph (b) of this subsection (2), the  
45 Tony Grampsas youth services board created in section 25-20.5-202 shall  
46 choose those entities that will receive grants through the Tony Grampsas  
47 youth services program and the amount of each grant. In addition, the  
48 division shall monitor the effectiveness of programs that receive funds  
49 through the Tony Grampsas youth services program.";

50

51 Amendment No. 3, by Representative Plant.

52

53 Amend Amendment No.2 by Representative Plant, page 1681, line 49,  
54 strike "program.";" and substitute "program.";

55

56 after line 49, insert the following:

1           "(b) Any grant awarded through the Tony Grampsas youth  
2 services program shall be paid from moneys appropriated pursuant to  
3 paragraph (c) of this subsection (2) or out of the general fund for such  
4 program. Each year, no less than twenty percent of the appropriation  
5 shall be designated and used exclusively for programs designed for  
6 children younger than nine years of age. FOR THE 2007-08 STATE FISCAL  
7 YEAR AND FOR EACH STATE FISCAL YEAR THEREAFTER, FOUR MILLION  
8 DOLLARS OF THE MONEYS APPROPRIATED PURSUANT TO PARAGRAPH (c) OF  
9 THIS SUBSECTION (2) SHALL BE DISTRIBUTED TO PUBLIC SCHOOL DISTRICTS  
10 FOR THE PURPOSE OF PROVIDING TEN THOUSAND AFTER SCHOOL PROGRAM  
11 SLOTS AT FOUR HUNDRED DOLLARS PER STUDENT FOR STUDENTS IN THE  
12 SIXTH THROUGH EIGHTH GRADES WHO QUALIFY FOR THE FEDERAL FREE  
13 AND REDUCED LUNCH PROGRAM. THE TONY GRAMPSAS YOUTH SERVICES  
14 BOARD CREATED IN SECTION 25-20.5-202 SHALL PROMULGATE RULES FOR  
15 PROGRAM ADMINISTRATION AND ACCOUNTABILITY, TO ESTABLISH  
16 ACADEMIC AND YOUTH DEVELOPMENT OUTCOME INDICATORS FROM  
17 EXISTING SCHOOL REPORTING REQUIREMENTS, AND TO ENCOURAGE  
18 PARTNERSHIPS BETWEEN SCHOOL DISTRICTS AND COMMUNITY-BASED  
19 ORGANIZATIONS. The board, in accordance with the timelines adopted  
20 pursuant to section 25-20.5-202 (3), shall submit a list of the entities  
21 chosen to receive grants to the governor for approval. The governor shall  
22 either approve or disapprove the entire list of entities by responding to the  
23 board within twenty days. If the governor has not responded to the board  
24 within twenty days after receipt of the list, the list shall be deemed  
25 approved. No grants shall be awarded through the Tony Grampsas youth  
26 services program without the prior approval of the governor.

27

28           (2) (c) Pursuant to section";".

29

30 As amended, ordered engrossed and placed on the Calendar for Third  
31 Reading and Final Passage.

32

33 **HB06-1404** by Representative(s) Todd, Balmer, Benefield, Borodkin,  
34 Garcia, Merrifield, Pommer, Solano; also Senator(s)  
35 Bacon--Concerning the creation of a support education  
36 special license plate.

37

38 (Previously amended as printed in House Journal, May 1, pages  
39 1602-1603.)

40

41 Amendment No. 5, by Representative Todd.

42

43 Amend printed bill, page 2, line 25, after the period, add "IMPACT ON  
44 EDUCATION, INC., OR ITS SUCCESSOR, SHALL COMPILE AND PROVIDE TO THE  
45 DONOR AND THE DEPARTMENT A LIST OF ORGANIZATIONS THAT THE  
46 ENTITY HAS VERIFIED QUALIFY FOR DONATIONS UNDER PARAGRAPH (c) OF  
47 THIS SUBSECTION (3).".

48

49 As amended, ordered engrossed and placed on the Calendar for Third  
50 Reading and Final Passage.

51

52 On motion of Representative Madden, the remainder of the Second  
53 Special Orders Calendar (**SB06-001**) was laid over until later in the day,  
54 retaining place on Calendar.

55

1 A motion by Representative Madden that the Committee rise, report  
2 progress and beg leave to sit again at 2:30 p.m. was adopted by  
3 unanimous consent. (Continued on page 1687.)

4  
5  
6 House reconvened.

7  
8 The Committee of the Whole reported it had risen, reported progress and  
9 would sit again at 2:30 p.m.

10  
11  
12  
13 **NOTICE OF INTENT TO RECONSIDER HB06-1100**

14  
15 Having voted on the prevailing side, Representative Stengel served notice  
16 of intent to reconsider the last House action (Third Reading) on  
17 **HB06-1100**.

18  
19  
20  
21 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

22  
23 **HB06-1281** by Representative(s) Pommer; also Senator(s) Gordon--  
24 Concerning the establishment of a program to demonstrate  
25 the use of breakthrough advanced coal technology to  
26 promote low-emitting coal-fueled electricity generation,  
27 and, in connection therewith, making an appropriation.

28  
29 (Amended as printed in Senate Journal, April 27, pages 1080-1081.)

30  
31 Representative Pommer moved that the House **concur** in Senate  
32 amendments. A substitute motion by Representative Clapp that the  
33 House **not concur** in Senate amendments and that a Conference  
34 Committee be appointed was declared **lost** by the following roll call vote:

	YES	29	NO	36	EXCUSED	00	ABSENT	00
37	Balmer	Y	Frangas	N	Larson	N	Pommer	N
38	Benefield	N	Gallegos	Y	Lindstrom	N	Ragsdale	Y
39	Berens	Y	Garcia	N	Liston	Y	Riesberg	N
40	Borodkin	N	Gardner	N	Lundberg	Y	Rose	Y
41	Buescher	Y	Green	N	Madden	N	Schultheis	Y
42	Butcher	Y	Hall	Y	Marshall	N	Solano	N
43	Cadman	Y	Harvey	Y	Massey	Y	Soper	N
44	Carroll M	N	Hefley	Y	May	Y	Stafford	Y
45	Carroll T	N	Hodge	N	McCluskey	Y	Stengel	Y
46	Cerbo	N	Hoppe	Y	McFadyen	N	Sullivan	Y
47	Clapp	Y	Jahn	N	McGihon	N	Todd	N
48	Cloer	N	Judd	N	McKinley	Y	Vigil	N
49	Coleman	N	Kerr A	N	Merrifield	N	Weissmann	N
50	Crane	Y	Kerr J	N	Paccione	N	Welker	Y
51	Curry	Y	King	Y	Penry	N	White	N
52	Decker	Y	Knoedler	N	Plant	N	Witwer	Y
53							Speaker	N

54  
55 Representative Pommer renewed his motion that the House **concur** in  
56 Senate amendments was declared **passed** by the following roll call vote:

	YES	56	NO	09	EXCUSED	00	ABSENT	00
1								
2	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
3	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
4	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
5	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	N
6	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
7	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
8	Cadman	N	Harvey	N	Massey	Y	Soper	Y
9	Carroll M	Y	Hefley	N	May	Y	Stafford	N
10	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
11	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
12	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
13	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
14	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
15	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
16	Curry	Y	King	Y	Penry	Y	White	Y
17	Decker	N	Knoedler	Y	Plant	Y	Witwer	Y
18							Speaker	Y
19								

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

	YES	57	NO	08	EXCUSED	00	ABSENT	00
26	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
27	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
28	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
29	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	N
30	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
31	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
32	Cadman	N	Harvey	N	Massey	Y	Soper	Y
33	Carroll M	Y	Hefley	N	May	Y	Stafford	Y
34	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
35	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
36	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
37	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
38	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
39	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
40	Curry	Y	King	Y	Penry	Y	White	Y
41	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
42							Speaker	Y

43 Co-sponsors added: Representatives Cerbo, Larson, Merrifield.

44  
 45 **HB06-1147** by Representative(s) Plant, Coleman, Curry, Larson,  
 46 Pommer, White; also Senator(s) Johnson, Gordon, Groff,  
 47 Grossman, Tochtrop, Windels--Concerning measures to  
 48 promote energy efficiency, and making an appropriation in  
 49 connection therewith.

50  
 51 (Amended as printed in Senate Journal, April 27, page 1069.)

52  
 53 Representative Plant moved that the House **concur** in Senate  
 54 amendments. The motion was declared **passed** by the following roll call  
 55 vote:

56



	YES	64	NO	00	EXCUSED	01	ABSENT	00
1								
2	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
3	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
4	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
5	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
6	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
7	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
8	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
9	Carroll M	Y	Hefley	Y	May	Y	Stafford	E
10	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
11	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
12	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
13	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
14	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
15	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
16	Curry	Y	King	Y	Penry	Y	White	Y
17	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
18							Speaker	Y
19								

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

	YES	38	NO	26	EXCUSED	01	ABSENT	00
25								
26	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
27	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	N
28	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
29	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
30	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
31	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
32	Cadman	N	Harvey	N	Massey	N	Soper	Y
33	Carroll M	Y	Hefley	N	May	N	Stafford	E
34	Carroll T	Y	Hodge	Y	McCluskey	N	Stengel	N
35	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	N
36	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
37	Cloer	N	Judd	Y	McKinley	N	Vigil	Y
38	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
39	Crane	N	Kerr J	N	Paccione	Y	Welker	N
40	Curry	Y	King	N	Penry	N	White	Y
41	Decker	N	Knoedler	N	Plant	Y	Witwer	Y
42							Speaker	Y
43								

#### SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

48 The Speaker has signed: **HB06-1132, 1251, 1273, 1355**.

#### MESSAGES FROM THE SENATE

54 The Senate has adopted and transmits herewith: SJR06-038 and  
 55 SJR06 042.

56

1 The Senate voted to concur in House amendments to SB06-015,  
 2 SB06-020, SB06-038, SB06-171, SB06-105, SB06-152 and repassed the  
 3 bills as amended.

4  
 5 The Senate has voted not to concur in House Amendments to SB06-094,  
 6 and requests that a Conference Committee be appointed. The President  
 7 appointed Senators Takis-Chair, Isgar, and Spence, as members of the  
 8 First Conference Committee on the part of the Senate. The bill is  
 9 transmitted herewith.

10  
 11

12 The Senate has passed on Third Reading and returns herewith  
 13 HB06-1364, HB06-1339, HB06-1176, HB06-1317, HB06-1266,  
 14 HB06-1394, HB06-1392.

15

16 HB06-1323, amended as printed in Senate Journal, May, 1, 2006,  
 17 pages 1128-1129,

18 HB06-1054 amended as printed in Senate Journal, May, 1, 2006,  
 19 page 1129,

20 HB06-1006 amended as printed in Senate Journal, May, 1, 2006,  
 21 page 1130,

22 HB06-1278 amended as printed in Senate Journal, May, 1, 2006,  
 23 page 1130,

24 HB06-1360, amended as printed in Senate Journal, May, 1, 2006,  
 25 pages 1130-1131,

26 HB06-1347 amended as printed in Senate Journal, May, 1, 2006,  
 27 page 1131,

28 HB06-1330, amended as printed in Senate Journal, May, 1, 2006,  
 29 pages 1131-1332,

30 HB06-1024, amended as printed in Senate Journal, May, 1, 2006,  
 31 page 1132,

32 HB06-1306, amended as printed in Senate Journal, May, 1, 2006,  
 33 page 1135,

34 HB06-1346, amended as printed in Senate Journal, May, 1, 2006,  
 35 page 1135.

36

37

38

39

### APPOINTMENTS TO CONFERENCE COMMITTEES

40

41 Pursuant to a request from the Senate, the Speaker appointed House  
 42 conferees to the First Conference Committees as follows:

43

44 **SB06-094**--Representatives Lindstrom, Chairman, McFadyen and  
 45 Knoedler.

46

47

48

### MESSAGE FROM THE REVISOR

49

50 We herewith transmit:

51 Without comment, as amended, HB06-1323, 1054, 1006, 1278, 1360,  
 52 1347, 1330, 1024, 1306, and 1346.

53

54

55

House in recess. House reconvened.

56

1                   **REPORTS OF COMMITTEE OF REFERENCE**

2  
3                   **JUDICIARY**

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

6  
7                   **HCR06-1014** be referred to the Committee of the Whole with favorable  
8 recommendation.

9  
10  
11                   **SB06-222** be referred to the Committee of the Whole with favorable  
12 recommendation.

13  
14  
15 On motion of Representative Madden, **SB06-131, 089, HCR06-1011,**  
16 **1012** were added to the Second Special Orders Calendar on Tuesday,  
17 May 2, 2006.

18  
19  
20 On motion of Representative Buescher, the House resolved itself into  
21 Committee of the Whole for continuation of consideration of Special  
22 Orders, and he returned to the Chair to act as Chairman.

23  
24  
25                   **SECOND SPECIAL ORDERS--SECOND READING OF BILLS**  
26                   (Continued from page 1683)

27  
28                   **HCR06-1011** by Representative(s) Butcher, Romanoff, Madden,  
29 Gallegos, Coleman, Vigil, Carroll M., Frangas, Garcia,  
30 Green, Lindstrom, McKinley, Merrifield, Plant, Soper;  
31 also Senator(s) Tapia, Groff, Grossman--Submitting to the  
32 registered electors of the state of Colorado amendments to  
33 sections 1, 4, 6 (2), and 23 of article IV of the constitution  
34 of the state of Colorado, concerning the popular election  
35 of the state office of the commissioner of insurance.

36  
37 Ordered engrossed and placed on the Calendar for Third Reading and  
38 Final Passage.

39  
40                   **SB06-089** by Senator(s) Hagedorn; also Representative(s)  
41 Carroll M.--Concerning common interest communities.

42  
43 Amendment No. 1, Local Government Report, dated April 11, 2006, and  
44 placed in member's bill file; Report also printed in House Journal, April  
45 12, pages 1162-1174.

46  
47 Amendment No. 2, by Representative Carroll M.

48  
49 Amend the Local Government Committee Report, dated April 11, 2006,  
50 page 1, strike line 3 and substitute the following:

51                   **""SECTION 1.** 38-33.3-103, Colorado Revised Statutes, is  
52 amended BY THE ADDITION OF A NEW SUBSECTION to read:

53  
54                   **38-33.3-103. Definitions.** As used in the declaration and bylaws  
55 of an association, unless specifically provided otherwise or unless the  
56 context otherwise requires, and in this article:

1 (21.5) "PHASED COMMUNITY" MEANS A COMMON INTEREST  
2 COMMUNITY IN WHICH THE DECLARANT RETAINS DEVELOPMENT RIGHTS.

3  
4 **SECTION 2.** 38-33.3-106.5 (1) (a), (1) (b), (1) (c), the".

5  
6 Renumber succeeding sections accordingly.

7  
8 Page 8, line 12, strike the second "OR";

9  
10 line 15, strike "SECTION." and substitute "SECTION; OR";

11  
12 after line 15, insert the following:

13  
14 "(E) TO AMENDMENTS THAT AFFECT PHASED COMMUNITIES OR  
15 DECLARANT-CONTROLLED COMMUNITIES."

16  
17 Amendment No. 3, by Representative Carroll M.

18  
19 Amend the Local Government Committee Report, dated April 11, 2006,  
20 page 3, strike lines 30 through 33.

21  
22 Page 4, strike lines 1 through 17.

23  
24 Renumber succeeding sections accordingly.

25  
26 Page 5, line 22, strike "EACH" and substitute "ON OR BEFORE JANUARY 1,  
27 2007, EACH".

28  
29 Page 6, strike lines 29 and 30.

30  
31 Page 7, strike line 1 and substitute the following:

32  
33 "(a) Maintain ACCURATE AND COMPLETE accounting records;  
34 ~~using generally accepted accounting principles and~~".

35  
36 Page 9, line 20, strike "MORE THAN";

37  
38 line 21, after "PERCENT", insert "OR MORE".

39  
40 Page 10, line 21, strike "audit, OR" and substitute "audit. A PERSON  
41 SELECTED TO CONDUCT A REVIEW";

42  
43 strike lines 26 and 27 and substitute the following:

44  
45 "SHALL BE PREPARED USING GENERALLY ACCEPTED ACCOUNTING  
46 PRINCIPLES OR THE CASH OR TAX BASIS OF ACCOUNTING."

47  
48 As amended, ordered revised and placed on the Calendar for Third  
49 Reading and Final Passage.

50  
51 A motion by Representative Madden that the Committee rise, report  
52 progress and beg leave to sit again in sixty seconds, was adopted by  
53 unanimous consent. (Continued on page 1689.)

1 House reconvened.

2  
3 The Committee of the Whole reported it had risen, reported progress and  
4 would sit again in sixty seconds.

5  
6  
7 On motion of Representative Madden, **SB06-130, 165, 048** were added  
8 to the Second Special Orders Calendar on Tuesday, May 2, 2006.

9  
10  
11 On motion of Representative Buescher, the House resolved itself into  
12 Committee of the Whole for continuation of consideration of Special  
13 Orders, and he returned to the Chair to act as Chairman.

14  
15  
16  
17  
18 **SECOND SPECIAL ORDERS--SECOND READING OF BILLS**  
19 (Continued from page 1688)

20  
21 **SB06-130** by Senator(s) Bacon; also Representative(s) White--  
22 Concerning the restoration of funding for boards of  
23 cooperative services, and making an appropriation  
24 therefor.

25  
26 Amendment No. 1, Appropriations Report, dated April 28, 2006, and  
27 placed in member's bill file; Report also printed in House Journal, April  
28 28, page 1513.

29  
30 As amended, ordered revised and placed on the Calendar for Third  
31 Reading and Final Passage.

32  
33  
34 **SB06-165** by Senator(s) Hagedorn; also Representative(s) Gardner--  
35 Concerning the use of telemedicine to promote efficiency  
36 in the delivery of health care services, and, in connection  
37 therewith, establishing pilot programs to demonstrate such  
38 efficiency, and making an appropriation.

39  
40 Amendment No. 1, Health and Human Services Report, dated April 24,  
41 2006, and placed in member's bill file; Report also printed in House  
42 Journal, April 25, page 1455.

43  
44 Amendment No. 2, Appropriations Report, dated April 28, 2006, and  
45 placed in member's bill file; Report also printed in House Journal, April  
46 28, pages 1514-1515.

47  
48 Amendment No. 3, by Representative Gardner.

49  
50 Amend reengrossed bill, page 5, line 10, strike "EXECUTIVE DIRECTOR OF  
51 THE".

52  
53 Page 13, before line 3, insert the following:

54  
55 **"SECTION 9. Relocation of harmonizable provisions. (1)**  
56 Section 26-4-421.5, Colorado Revised Statutes, as enacted in section 5 of

1 this act, will be renumbered as and relocated to section 25.5-5-320,  
2 Colorado Revised Statutes, only if Senate Bill 06-219 is enacted and  
3 becomes law.

4  
5 (2) Part 15 of article 4 of title 26, Colorado Revised Statutes, as  
6 enacted in section 6 of this act, will be renumbered as and relocated to  
7 part 7 of article 5 of title 25.5, Colorado Revised Statutes, only if Senate  
8 Bill 06-219 is enacted and becomes law."

9  
10 Renumber succeeding sections accordingly.

11  
12 As amended, ordered revised and placed on the Calendar for Third  
13 Reading and Final Passage.

14  
15  
16 **SB06-048** by Senator(s) Tapia, Bacon, Evans; also Representative(s)  
17 Massey, Borodkin--Concerning the pilot program for the  
18 director of research of the legislative council to use a  
19 dynamic model to analyze the economic impact of bills  
20 that make a tax policy change, and making an  
21 appropriation therefor.

22  
23 Amendment No. 1, Appropriations Report, dated May 1, 2006, and placed  
24 in member's bill file; Report also printed in House Journal, May 1, page  
25 1573.

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

29  
30  
31 **HCR06-1012** by Representative(s) Carroll M., Garcia, Rose; also  
32 Senator(s) Teck--Submitting to the registered electors of  
33 the state of Colorado amendments to articles V and XIX of  
34 the constitution of the state of Colorado, concerning the  
35 exemption from the single-subject requirement of  
36 proposed measures that repeal constitutional or statutory  
37 provisions initially adopted prior to January 1, 1995, as a  
38 measure or part of a measure containing more than one  
39 subject at the time of initial adoption.

40  
41 Ordered engrossed and placed on the Calendar for Third Reading and  
42 Final Passage.

43  
44  
45 **SB06-001** by Senator(s) Hagedorn; also Representative(s) Madden--  
46 Concerning a reduction in the cost of prescription drugs,  
47 and making an appropriation therefor.

48  
49 Amendment No. 1, by Representative Marshall.

50  
51 Amend reengrossed bill, page 5, line 8, after the period, insert "A  
52 CONTRACT ENTERED INTO PURSUANT TO THIS SECTION SHALL NOT INCLUDE  
53 ANY PROVISION THAT RESTRICTS THE RIGHT OF A PARTICIPATING  
54 PHYSICIAN FROM PRESCRIBING TO A MEDICAID RECIPIENT ANY  
55 PRESCRIPTION DRUG THAT IS NECESSARY FOR THE MEDICAID RECIPIENT  
56 BASED ON MEDICAL STUDIES THAT DEMONSTRATE THAT A SPECIFIC RACIAL

1 MINORITY RESPONDS DIFFERENTLY TO A SPECIFIC PRESCRIPTION DRUG OR  
2 CLASS OF DRUGS.".

3

4 As amended, ordered revised and placed on the Calendar for Third  
5 Reading and Final Passage.

6

7 On motion of Representative Madden, the remainder of the Second  
8 Special Orders Calendar (**SB06-131**) was laid over until May 3, retaining  
9 place on Calendar.

10

11

12

### 13 AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT

14

15 Representatives Balmer, Rose, Gardner, Cadman, Hoppe, Stafford, and  
16 Liston moved to amend the Report of the Committee of the Whole to  
17 show that **HCR06-1011** did not pass.

18

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

20

21

	YES	31	NO	32	EXCUSED	02	ABSENT	00
22	Balmer	Y	Frangas	N	Larson	Y	Pommer	N
23	Benefield	N	Gallegos	N	Lindstrom	N	Ragsdale	N
24	Berens	Y	Garcia	N	Liston	Y	Riesberg	Y
25	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
26	Buescher	N	Green	N	Madden	N	Schultheis	Y
27	Butcher	N	Hall	Y	Marshall	N	Solano	N
28	Cadman	Y	Harvey	Y	Massey	Y	Soper	N
29	Carroll M	N	Hefley	Y	May	Y	Stafford	Y
30	Carroll T	N	Hodge	N	McCluskey	E	Stengel	Y
31	Cerbo	N	Hoppe	Y	McFadyen	N	Sullivan	Y
32	Clapp	Y	Jahn	Y	McGihon	N	Todd	N
33	Cloer	N	Judd	N	McKinley	N	Vigil	N
34	Coleman	N	Kerr A	N	Merrifield	N	Weissmann	N
35	Crane	Y	Kerr J	Y	Paccione	N	Welker	Y
36	Curry	N	King	Y	Penry	Y	White	Y
37	Decker	Y	Knoedler	Y	Plant	E	Witwer	Y
38							Speaker	N

39

40 Representative King moved to amend the Report of the Committee of the  
41 Whole to show that Amendment No. 1, by Representative A. Kerr  
42 (printed in House Journal page 1680, lines 5-7), to SB06-065, did not  
43 pass, that the following King amendment to SB06-065 did pass, that the  
44 Appropriations report dated April 27, 2006 did pass and that **SB06-065**,  
45 as amended, did pass.

46

47 Amend the House Appropriations Committee Report, dated April 27,  
48 2006, page 3, line 10, strike "one hundred ten thousand nine" and  
49 substitute "seven hundred two thousand five hundred eighty-two dollars  
50 (\$702,582) and 8.0 FTE,";

51

52 line 11, strike "hundred thirty-four dollars (\$110,934),";

53

54 line 19, strike "one hundred ten thousand nine hundred" and substitute  
55 "seven hundred two thousand five hundred eighty-two dollars  
56 (\$702,582).";

1 line 20, strike "thirty-four dollars (\$110,934).";  
 2  
 3 strike lines 23 through 28.

4  
 5 The amendment was declared **lost** by the following roll call vote:

	YES	29	NO	36	EXCUSED	00	ABSENT	00
8 Balmer	Y		Frangas	N	Larson	Y	Pommer	N
9 Benefield	N		Gallegos	N	Lindstrom	N	Ragsdale	N
10 Berens	Y		Garcia	N	Liston	Y	Riesberg	N
11 Borodkin	N		Gardner	Y	Lundberg	Y	Rose	Y
12 Buescher	N		Green	N	Madden	N	Schultheis	Y
13 Butcher	N		Hall	Y	Marshall	N	Solano	N
14 Cadman	Y		Harvey	Y	Massey	Y	Soper	N
15 Carroll M	N		Hefley	Y	May	Y	Stafford	Y
16 Carroll T	N		Hodge	N	McCluskey	Y	Stengel	Y
17 Cerbo	N		Hoppe	Y	McFadyen	N	Sullivan	Y
18 Clapp	Y		Jahn	N	McGihon	N	Todd	N
19 Cloer	N		Judd	N	McKinley	N	Vigil	N
20 Coleman	N		Kerr A	N	Merrifield	N	Weissmann	N
21 Crane	Y		Kerr J	Y	Paccione	N	Welker	Y
22 Curry	N		King	Y	Penry	Y	White	Y
23 Decker	Y		Knoedler	Y	Plant	N	Witwer	Y
							Speaker	N

### ADOPTION OF COMMITTEE OF THE WHOLE REPORT

26  
 27  
 28  
 29  
 30 Passed Second Reading: **HB06-1410 amended, SB06-065,**  
 31 **224 amended, HB06-1412 amended, 1404 amended, HCR06-1011,**  
 32 **SB06-089 amended, 130 amended, 165 amended, 048 amended,**  
 33 **HCR06-1012, SB06-001 amended.**

34  
 35 Laid over until date indicated retaining place on Calendar: **SB06-131--**  
 36 **May 3, 2006.**

37  
 38 The Chairman moved the adoption of the Committee of the Whole  
 39 Report. As shown by the following roll call vote, a majority of those  
 40 elected to the House voted in the affirmative, and the Report was  
 41 **adopted.**

	YES	64	NO	01	EXCUSED	00	ABSENT	00
44 Balmer	Y		Frangas	Y	Larson	Y	Pommer	Y
45 Benefield	Y		Gallegos	Y	Lindstrom	Y	Ragsdale	Y
46 Berens	Y		Garcia	Y	Liston	Y	Riesberg	Y
47 Borodkin	Y		Gardner	Y	Lundberg	Y	Rose	Y
48 Buescher	Y		Green	Y	Madden	Y	Schultheis	Y
49 Butcher	Y		Hall	Y	Marshall	Y	Solano	Y
50 Cadman	Y		Harvey	Y	Massey	Y	Soper	Y
51 Carroll M	Y		Hefley	Y	May	Y	Stafford	Y
52 Carroll T	Y		Hodge	Y	McCluskey	Y	Stengel	Y
53 Cerbo	Y		Hoppe	Y	McFadyen	Y	Sullivan	Y
54 Clapp	Y		Jahn	Y	McGihon	Y	Todd	Y
55 Cloer	N		Judd	Y	McKinley	Y	Vigil	Y
56 Coleman	Y		Kerr A	Y	Merrifield	Y	Weissmann	Y



1	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
2	Curry	Y	King	Y	Penry	Y	White	Y
3	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
4							Speaker	Y

## REPORTS OF COMMITTEES OF REFERENCE

### FINANCE

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

**SB06-235** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 20, after line 25, insert the following:

"**SECTION 13.** 24-51-605 (1) (b), Colorado Revised Statutes, is amended to read:

**24-51-605. Benefit formula for reduced service retirement.**

(1) (b) On and after July 1, 1998, for a member who is not a state trooper and who retires upon reaching fifty-five years of age or older but before reaching sixty years of age, a reduced service retirement benefit shall be the option 1 benefit for service retirement, as calculated according to the formula set forth in section 24-51-603, reduced by:

(I) Three percent for each year and a proportional percentage for each fraction of a year from the effective date of reduced service retirement to the date the member would have REACHED SIXTY YEARS OF AGE, OR THE DATE THE MEMBER WOULD HAVE become eligible for a service retirement pursuant to the provisions of section 24-51-602 (1), IF EARLIER THAN SIXTY YEARS OF AGE; AND

(II) FOUR PERCENT FOR EACH YEAR AND A PROPORTIONAL PERCENTAGE FOR EACH FRACTION OF A YEAR FROM THE DATE THE MEMBER REACHES SIXTY YEARS OF AGE TO THE DATE THE MEMBER WOULD HAVE BECOME ELIGIBLE FOR A SERVICE RETIREMENT PURSUANT TO THE PROVISIONS OF SECTION 24-51-602 (1), IF ON SUCH DATE THE MEMBER WOULD HAVE BEEN OLDER THAN SIXTY YEARS OF AGE."

Renumber succeeding sections accordingly.

Page 23, line 21, strike "24-51-1603" and substitute "24-51-1009".

Page 24, line 5, strike "ATTAINED" and substitute "ATTAINED".

### LOCAL GOVERNMENT

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

**SB06-228** be referred to the Committee of the Whole with favorable recommendation.

1 **STATE, VETERANS, & MILITARY AFFAIRS**

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

4  
5 **SB06-223** be postponed indefinitely.

6  
7  
8 **SB06-225** be referred favorably to the Committee on Appropriations.

9  
10  
11 **SB06-234** be amended as follows, and as so amended, be referred to  
12 the Committee of the Whole with favorable  
13 recommendation:

14  
15 Amend reengrossed bill, page 3, after line 27, insert the following:

16  
17 "(1) "BASIC PILOT PROGRAM" MEANS THE BASIC PILOT  
18 EMPLOYMENT VERIFICATION PROGRAM CREATED IN PUBLIC LAW 208,  
19 104TH CONGRESS, AS AMENDED, AND EXPANDED IN PUBLIC LAW 156,  
20 108TH CONGRESS, AS AMENDED, THAT IS ADMINISTERED BY THE UNITED  
21 STATES DEPARTMENT OF HOMELAND SECURITY."

22  
23 Page 4, line 1, strike "(1)" and substitute "(1.3)";

24  
25 strike lines 11 through 15.

26  
27 Renumber succeeding subsections accordingly.

28  
29 Page 5, after line 6, insert the following:

30  
31 "(5) "SUSTAINABLE CONSTRUCTION PRACTICES" MEANS THOSE  
32 STATE CONSTRUCTION PROJECTS DESIGNED TO REDUCE BOTH DIRECT AND  
33 INDIRECT ENVIRONMENTAL CONSEQUENCES ASSOCIATED WITH THE  
34 CONSTRUCTION, USE, OPERATION, MAINTENANCE, AND EVENTUAL  
35 DECOMMISSIONING OF SUCH PROJECTS, THE DESIGN OF WHICH ARE  
36 EVALUATED FOR COSTS, QUALITY OF LIFE IMPACTS, FUTURE FLEXIBILITY,  
37 EASE OF MAINTENANCE, ENERGY AND RESOURCE EFFICIENCY, AND  
38 OVERALL ENVIRONMENTAL IMPACT, WITH AN EMPHASIS ON LIFE-CYCLE  
39 COST ANALYSIS.";

40  
41 line 8, strike "SUBSECTION (2)" and substitute "SUBSECTIONS (2), (3), AND  
42 (4)";

43  
44 line 27, strike "LEED CERTIFICATION" and substitute "SUSTAINABLE  
45 CONSTRUCTION PRACTICES".

46  
47 Page 6, strike lines 4 through 10 and substitute the following:

48  
49 "(2) THE COMPETITIVE SEALED BEST VALUE PROPOSALS PROCESS  
50 AUTHORIZED BY SUBSECTION (1) OF THIS SECTION SHALL NOT BE APPLIED  
51 TO ANY CONTRACT WHERE SUCH APPLICATION WOULD CONFLICT WITH ANY  
52 FEDERAL LAW OR FEDERAL RULE BECAUSE OF RESTRICTIONS ON FEDERAL  
53 FUNDING SOURCES OR FOR ANY OTHER REASON.";

54  
55 after line 10, insert the following:

56





1 **HB06-1196** Concerning The Consolidation Of The Existing  
2 Regulation Of Engineering-Related Professions, And, In  
3 Connection Therewith, Consolidating The State Board Of  
4 Licensure For Professional Engineers And Professional  
5 Land Surveyors And The State Board Of Examiners Of  
6 Architects Into The State Board Of Licensure For  
7 Architects, Professional Engineers, And Professional  
8 Land Surveyors, Continuing The Regulation Of  
9 Architecture, Clarifying What Constitutes A Record Set  
10 Of Drawings And The Proper Use Of An Architect's  
11 Stamp On Such Drawings, Imposing Professional  
12 Liability, Clarifying Issues Concerning Architectural  
13 Firms, Authorizing The Use Of The Name Of A Departed  
14 Partner In The Name Of A Firm, Changing Certain  
15 Notifications Concerning Settlements Or Judgments,  
16 Requiring That A Crime That Triggers Discipline Be  
17 Related To The Practice Of Architecture, And Repealing  
18 Certain Board Notification Requirements, And Making  
19 An Appropriation In Connection Therewith.  
20

21 Approved May 1, 2006 at 12:24 p.m.

22  
23 **HB06-1264** Concerning The Enactment Of Consistent Provisions  
24 Among The Occupations Regulated By The Division Of  
25 Registrations In The Department Of Regulatory Agencies.  
26

27 Approved May 1, 2006 at 12:25 p.m.

28  
29 **HB06-1354** Concerning The Amount Of The Fair Market Value Of A  
30 Conservation Easement In Gross Donated To A Nonprofit  
31 Entity That May Be Claimed As A Credit Against The  
32 State Income Tax.  
33

34 Approved May 1, 2006 at 12:26 p.m.

35  
36 Sincerely,  
37 (signed)  
38 Bill Owens  
39

40 \_\_\_\_\_  
41  
42 **INTRODUCTION OF RESOLUTIONS**  
43

44 The following resolution was read by title and laid over one day under the  
45 rules:

46  
47 **SJR06-038** by Senator(s) Windels; also Representative(s) Merrifield,  
48 Todd--Concerning honoring Colorado teachers on  
49 National Teacher Day.  
50

51 \_\_\_\_\_  
52 The following resolution was read by title and referred to the committee  
53 indicated:

54  
55 **SJR06-042** by Senator(s) Tupa, Bacon, Williams, Windels; also  
56 Representative(s) Merrifield, Benefield, Pommer--

