

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

Sixty-second Legislative Day

Monday, March 13, 2006

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Briana Sibley, Alysia Kamrath, Megan
6 McDonald, Sarah Hunter, Thompson Valley High School, Loveland; Girl
7 Scout Troop 448, Park Hill School, Denver.

8

9 The roll was called with the following result:

10

11 Present--64.

12 Excused--Representative Sullivan--1.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Liston, the reading of the journal of
18 March 10, 2006, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22

23

24 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL**

25

26 **HB06-1175** by Representative(s) May M., Pommer, Larson, Balmer,
27 Benefield, Berens, Boyd, Carroll T., Frangas, Hall,
28 Lindstrom, McCluskey, McGihon, Riesberg, Soper,
29 Stengel, Sullivan, Todd, Vigil; also Senator(s) Grossman,
30 Evans, Fitz-Gerald, Groff, Johnson, Tupa, Windels--
31 Concerning enactment of the "Colorado Clean Indoor Air
32 Act", and, in connection therewith, prohibiting smoking in
33 indoor enclosed areas, including places of employment.

34

35 (Amended as printed in Senate Journal, February 27, pages 352-355, and
36 on February 28.)

37

38 Representative May M., moved that the House **not concur** in Senate
39 amendments and that a Conference Committee be appointed. A substitute
40 motion by Representative White that the House **adhere** to its position was
41 declared **lost** by the following roll call vote:

42

	YES	08	NO	56	EXCUSED	01	ABSENT	00
1								
2	Balmer	N	Decker	N	Larson	Y	Pommer	N
3	Benefield	N	Frangas	N	Lindstrom	N	Ragsdale	N
4	Berens	N	Gallegos	N	Liston	Y	Riesberg	N
5	Borodkin	N	Garcia	Y	Lundberg	N	Rose	N
6	Boyd	N	Gardner	N	Madden	N	Schultheis	N
7	Buescher	N	Green	N	Marshall	N	Solano	N
8	Butcher	N	Hall	N	Massey	N	Soper	N
9	Cadman	N	Harvey	Y	May	N	Stafford	Y
10	Carroll M	N	Hefley	N	McCluskey	N	Stengel	N
11	Carroll T	N	Hodge	N	McFadyen	N	Sullivan	E
12	Cerbo	N	Hoppe	N	McGihon	N	Todd	N
13	Clapp	N	Jahn	N	McKinley	N	Vigil	N
14	Cloer	Y	Judd	N	Merrifield	N	Weissmann	N
15	Coleman	N	Kerr	N	Paccione	N	Welker	Y
16	Crane	N	King	N	Penry	N	White	Y
17	Curry	N	Knoedler	N	Plant	N	Witwer	N
18							Speaker	N
19								

20 Representative May's motion, that the House **not concur** in Senate
 21 amendments and that a Conference Committee be appointed was
 22 declared **passed** by the following roll call vote:

	YES	45	NO	19	EXCUSED	01	ABSENT	00
25	Balmer	Y	Decker	N	Larson	Y	Pommer	Y
26	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
27	Berens	Y	Gallegos	Y	Liston	N	Riesberg	Y
28	Borodkin	Y	Garcia	N	Lundberg	N	Rose	Y
29	Boyd	Y	Gardner	N	Madden	Y	Schultheis	N
30	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
31	Butcher	Y	Hall	Y	Massey	N	Soper	Y
32	Cadman	N	Harvey	Y	May	Y	Stafford	N
33	Carroll M	N	Hefley	Y	McCluskey	Y	Stengel	Y
34	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	E
35	Cerbo	Y	Hoppe	N	McGihon	Y	Todd	Y
36	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
37	Cloer	N	Judd	Y	Merrifield	Y	Weissmann	N
38	Coleman	Y	Kerr	Y	Paccione	Y	Welker	N
39	Crane	N	King	N	Penry	Y	White	N
40	Curry	N	Knoedler	N	Plant	Y	Witwer	Y
41							Speaker	Y

42 The Speaker appointed Representatives May M., Chairman, Pommer and
 43 Boyd as House conferees to the bill.

46 On motion of Representative Madden, **HB06-1193, 1346, 1354, 1357,**
 47 **SB06-079, 078, HB06-1018, 1046, 1274, 1313, 1339** were made Special
 48 Orders on Monday, March 13, 2006, at 10:40 a.m.

51 The hour of 10:40 a.m., having arrived, on motion of Representative
 52 Carroll T., the House resolved itself into Committee of the Whole for
 53 consideration of Special Orders and he was called to the Chair to act as
 54 Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

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

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

HB06-1193 by Representative(s) Carroll M., Borodkin, Cerbo, Weissmann; also Senator(s) Hagedorn--Concerning protection for health care workers alleging violation of standards of health care practice.

Amendment No. 1, Health and Human Services Report, dated February 20, 2006, and placed in member's bill file; Report also printed in House Journal, February 22, pages 453-45.

Amendment No. 2, by Representative Carroll M.

Strike the Health and Human Services Committee Report, dated February 20, 2006, and substitute the following:

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

"SECTION 1. Part 4 of article 34 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

24-34-407. Health care workers - retaliation prohibited - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "DISCIPLINARY ACTION" MEANS ANY DIRECT OR INDIRECT FORM OF DISCIPLINE OR PENALTY, INCLUDING, BUT NOT LIMITED TO, DISMISSAL, DEMOTION, TRANSFER, REASSIGNMENT, SUSPENSION, CORRECTIVE ACTION, REPRIMAND, ADMONISHMENT, UNSATISFACTORY OR BELOW-STANDARD PERFORMANCE EVALUATION, REDUCTION IN FORCE, WITHHOLDING OF WORK, CHANGES IN WORK HOURS, OR THE THREAT OF ANY SUCH DISCIPLINE OR PENALTY. "DISCIPLINARY ACTION" SHALL NOT MEAN ACTION TAKEN WHICH IS RELATED TO STAFFING OR PATIENT CARE NEEDS.

(b) "GOOD FAITH REPORT OR DISCLOSURE" MEANS A REPORT REGARDING PATIENT SAFETY INFORMATION OR QUALITY OF PATIENT CARE THAT IS MADE WITHOUT MALICE OR CONSIDERATION OF PERSONAL BENEFIT AND THAT THE PERSON MAKING THE REPORT HAS REASONABLE CAUSE TO BELIEVE IS TRUE. "GOOD FAITH REPORT OR DISCLOSURE" ALSO MEANS, WITH RESPECT TO PATIENT CARE, A REPORT REGARDING ANY PRACTICE, PROCEDURE, ACTION, OR FAILURE TO ACT WITH REGARD TO PATIENT SAFETY THAT CONCERNS INFORMATION REGARDING A GENERALLY ACCEPTED STANDARD OF CARE, A LAW, RULE, REGULATION, OR DECLARATORY RULING ADOPTED PURSUANT TO LAW, OR COMPLIANCE WITH A PROFESSIONAL LICENSURE REQUIREMENT, WHICH REPORT IS MADE WITHOUT MALICE OR CONSIDERATION OF PERSONAL BENEFIT AND THAT

1 THE PERSON MAKING THE REPORT HAS REASONABLE CAUSE TO BELIEVE IS
2 TRUE.

3

4 (c) "HEALTH CARE PROVIDER" MEANS ANY HEALTH CARE FACILITY
5 LICENSED UNDER SECTION 25-3-101, C.R.S., OR ANY INDIVIDUAL WHO IS
6 AUTHORIZED TO PRACTICE SOME COMPONENT OF THE HEALING ARTS BY A
7 LICENSE, CERTIFICATE, OR REGISTRATION.

8

9 (d) "HEALTH CARE WORKER" MEANS ANY PERSON CERTIFIED,
10 REGISTERED, OR LICENSED PURSUANT TO ARTICLE 22, 29.5, 32, 33, 35, 36,
11 37, 38, 38.1, 39, 40, 41, 41.5, 42, OR 43 OF TITLE 12, C.R.S., OR CERTIFIED
12 PURSUANT TO SECTION 25-3.5-203, C.R.S.

13

14 (2) (a) A HEALTH CARE PROVIDER SHALL NOT TAKE DISCIPLINARY
15 ACTION AGAINST A HEALTH CARE WORKER IN RETALIATION FOR MAKING
16 A GOOD FAITH REPORT OR DISCLOSURE.

17

18 (b) THIS SECTION SHALL NOT APPLY TO A HEALTH CARE WORKER
19 WHO DISCLOSES INFORMATION THAT THE WORKER KNOWS TO BE FALSE,
20 WHO DISCLOSES INFORMATION WITH DISREGARD FOR THE TRUTH OR
21 FALSITY THEREOF, OR WHO DISCLOSES INFORMATION TO COMPLY WITH
22 SUBSECTION (3) OF THIS SECTION.

23

24 (c) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO GRANT
25 IMMUNITY TO A HEALTH CARE WORKER FOR HIS OR HER OWN ACTS OF
26 MEDICAL NEGLIGENCE, FOR UNPROFESSIONAL CONDUCT SUBJECT TO
27 PROFESSIONAL REVIEW ACTIVITIES AUTHORIZED BY STATE OR FEDERAL
28 LAW, FOR A BREACH OF A PROFESSIONAL LICENSURE REQUIREMENT, OR
29 FOR A VIOLATION OF ANY STATE OR FEDERAL LAW REQUIRING
30 CONFIDENTIALITY OF PATIENT INFORMATION.

31

32 (3) WHEN MAKING A GOOD FAITH REPORT OR DISCLOSURE
33 REGARDING PATIENT SAFETY OR QUALITY OF PATIENT CARE, A HEALTH
34 CARE WORKER SHALL FOLLOW THE INTERNAL REPORTING PROCEDURES OF
35 THE HEALTH CARE PROVIDER, TO THE EXTENT SUCH PROCEDURES EXIST
36 AND ARE PROVIDED TO THE HEALTH CARE WORKER IN WRITING, AND SHALL
37 EXHAUST SUCH PROCEDURES PRIOR TO PURSUING ANY FURTHER
38 REPORTING OR DISCLOSURE ACTIVITY.

39

40 (4) NOTHING IN THIS SECTION SHALL PREVENT A HEALTH CARE
41 PROVIDER FROM TAKING DISCIPLINARY ACTION AGAINST A HEALTH CARE
42 WORKER FOR REASONS OTHER THAN THOSE SPECIFIED IN SUBSECTION (2)
43 OF THIS SECTION, IF THE DISCIPLINARY ACTION COMPLIES WITH EXISTING
44 LAW. EXCEPT AS SPECIFIED IN SUBSECTION (2) OF THIS SECTION, NOTHING
45 IN THIS SECTION SHALL BE CONSTRUED TO CHANGE THE AT-WILL
46 EMPLOYMENT STATUS OF A HEALTH CARE WORKER.

47

48 (5) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PREEMPT
49 EXISTING LAWS, REGULATIONS, OR RULES PERTAINING TO PATIENT CARE,
50 INCLUDING PROFESSIONAL REVIEW PROCEEDINGS FOR HEALTH
51 PROFESSIONALS OR FOR PHYSICIANS PURSUANT TO PART 1 OF ARTICLE 36.5
52 OF TITLE 12, C.R.S., OR QUALITY AND SAFETY STANDARDS FOR A HEALTH
53 CARE FACILITY LICENSED PURSUANT TO SECTION 25-3-101, C.R.S.

54

55

1 **SECTION 2. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, and safety."

4
5 Page 1, line 101, after "FOR", insert "ALL" and strike "ALLEGING" and
6 substitute "WHO REPORT PATIENT SAFETY INFORMATION.";

7
8 strike line 102."

9
10 As amended, ordered engrossed and placed on the Calendar for Third
11 Reading and Final Passage.

12 (For change in action, see Amendments to Report, page 722.)

13
14 **HB06-1346** by Representative(s) McGihon; also Senator(s) Shaffer--
15 Concerning dependent health care coverage for a minor
16 child of a person eligible for dependent coverage.

17
18 Amendment No. 1, Business Affairs and Labor Report, dated March 8,
19 2006, and placed in member's bill file; Report also printed in House
20 Journal, March 9, page 65.

21
22 As amended, ordered engrossed and placed on the Calendar for Third
23 Reading and Final Passage.

24
25 **HB06-1354** by Representative(s) Madden; also Senator(s) Teck--
26 Concerning the amount of the fair market value of a
27 conservation easement in gross donated to a nonprofit
28 entity that may be claimed as a credit against the state
29 income tax.

30
31 Ordered engrossed and placed on the Calendar for Third Reading and
32 Final Passage.

33
34 **HB06-1357** by Representative(s) Ragsdale; also Senator(s) Isgar--
35 Concerning a prohibition on the inspection of applications
36 for marriage licenses.

37
38 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
39 March 7, 2006, and placed in member's bill file; Report also printed in
40 House Journal, March 9, pages 657-65.

41
42 As amended, ordered engrossed and placed on the Calendar for Third
43 Reading and Final Passage.

44
45 **SB06-079** by Senator(s) Groff; also Representative(s) Buescher--
46 Concerning the post-enactment review of the
47 implementation of bills by nonpartisan legislative staff.

48
49 Ordered revised and placed on the Calendar for Third Reading and Final
50 Passage.

51
52
53 **SB06-078** by Senator(s) Wiens, Isgar, May R.; also Representative(s)
54 McKinley, Green, Borodkin, Hefley, Larson, Stafford--
55 Concerning a prohibition against the exercise of the power
56 of eminent domain by a private corporation to condemn

1 the private property of another person or entity for the
2 purpose of acquiring rights-of-way for a private toll road
3 or private toll highway.
4

5 Ordered revised and placed on the Calendar for Third Reading and Final
6 Passage.
7

8
9 **HB06-1018** by Representative(s) Riesberg; also Senator(s) Hagedorn,
10 Bacon--Concerning an increase in the funding to the older
11 Coloradans cash fund from the receipts collected from the
12 state sales and use tax.
13

14 Amendment No. 1, Appropriations Report, dated March 10, 2006, and
15 placed in member's bill file; Report also printed in House Journal, March
16 10, page 69.
17

18 As amended, ordered engrossed and placed on the Calendar for Third
19 Reading and Final Passage.
20

21
22 **HB06-1046** by Representative(s) Vigil, Coleman, White; also
23 Senator(s) Hanna, Takis, Taylor--Concerning regulation of
24 private occupational schools.
25

26 Amendment No. 1, Education Report, dated January 31, 2006, and placed
27 in member's bill file; Report also printed in House Journal, February 1,
28 page 15.
29

30 Amendment No. 2, Appropriations Report, dated March 10, 2006, and
31 placed in member's bill file; Report also printed in House Journal, March
32 10, page 69.
33

34 As amended, ordered engrossed and placed on the Calendar for Third
35 Reading and Final Passage.
36

37
38 **HB06-1274** by Representative(s) Hodge; also Senator(s) Entz--
39 Concerning the pesticide applicators' act, and, in
40 connection therewith, regulating private applicators.
41

42 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
43 dated February 20, 2006, and placed in member's bill file; Report also
44 printed in House Journal, February 21, pages 441-44.
45

46 Amendment No. 2, Appropriations Report, dated March 10, 2006, and
47 placed in member's bill file; Report also printed in House Journal, March
48 10, pages 700-70.
49

50 Amendment No. 3, by Representative Hodge.
51

52 Amend printed bill, page 11, line 23, strike "DIRECT, ON-SITE".
53

54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.
56

1 **HB06-1313** by Representative(s) Curry; also Senator(s) Isgar--
 2 Concerning the funding of Colorado water conservation
 3 board projects, and, in connection therewith, making
 4 appropriations.
 5

6 Amendment No. 1, Appropriations Report, dated March 10, 2006, and
 7 placed in member's bill file; Report also printed in House Journal, March
 8 10, pages 705-70.
 9

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

13 **HB06-1339** by Representative(s) Garcia; also Senator(s) Spence--
 14 Concerning the creation of a Denver broncos special
 15 license plate.
 16

17 Amendment No. 1, Appropriations Report, dated March 10, 2006, and
 18 placed in member's bill file; Report also printed in House Journal, March
 19 10, page 70.
 20

21 As amended, ordered engrossed and placed on the Calendar for Third
 22 Reading and Final Passage.
 23

24 25 26 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

27
 28 Representative Stafford moved to amend the Report of the Committee of
 29 the Whole to show that Amendment No. 2 by Representative M. Carroll
 30 (printed in House Journal page 717, lines 20-56; page 718, lines 1-53;
 31 page 719, lines 1-8) to HB06-1193, did not pass, and that **HB06-1193** be
 32 rereferred to the Health and Human Services Committee did pass.
 33

34 The amendment was declared **lost** by the following roll call vote:
 35

	YES	23	NO	39	EXCUSED	02	ABSENT	01
37	Balmer	Y	Decker	N	Larson	Y	Pommer	N
38	Benefield	N	Frangas	N	Lindstrom	N	Ragsdale	N
39	Berens	Y	Gallegos	N	Liston	Y	Riesberg	N
40	Borodkin	N	Garcia	N	Lundberg	Y	Rose	Y
41	Boyd	N	Gardner	Y	Madden	N	Schultheis	Y
42	Buescher	N	Green	N	Marshall	N	Solano	N
43	Butcher	N	Hall	Y	Massey	N	Soper	N
44	Cadman	-	Harvey	Y	May	E	Stafford	Y
45	Carroll M	N	Hefley	Y	McCluskey	Y	Stengel	Y
46	Carroll T	N	Hodge	N	McFadyen	N	Sullivan	E
47	Cerbo	N	Hoppe	N	McGihon	N	Todd	N
48	Clapp	Y	Jahn	N	McKinley	N	Vigil	N
49	Cloer	Y	Judd	N	Merrifield	N	Weissmann	N
50	Coleman	N	Kerr	Y	Paccione	N	Welker	Y
51	Crane	N	King	Y	Penry	Y	White	Y
52	Curry	N	Knoedler	Y	Plant	N	Witwer	Y
53							Speaker	N

54
 55
 56

1 Representative Stafford moved to amend the Report of the Committee of
2 the Whole to show that **HB06-1193** was laid over until March 14, 2006.

3

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

5	YES	48	NO	14	EXCUSED	02	ABSENT	01
6	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
7	Benefield	N	Frangas	Y	Lindstrom	N	Ragsdale	Y
8	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
9	Borodkin	Y	Garcia	N	Lundberg	Y	Rose	Y
10	Boyd	Y	Gardner	Y	Madden	N	Schultheis	Y
11	Buescher	Y	Green	N	Marshall	N	Solano	Y
12	Butcher	N	Hall	Y	Massey	Y	Soper	Y
13	Cadman	-	Harvey	Y	May	E	Stafford	Y
14	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
15	Carroll T	N	Hodge	N	McFadyen	Y	Sullivan	E
16	Cerbo	N	Hoppe	Y	McGihon	N	Todd	Y
17	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
18	Cloer	N	Judd	Y	Merrifield	N	Weissmann	Y
19	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
20	Crane	Y	King	Y	Penry	Y	White	Y
21	Curry	N	Knoedler	Y	Plant	Y	Witwer	Y
22							Speaker	Y

22

23

24

25

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

57

58

59

60

61

62

63

Passed Second Reading: **HB06-1346 amended, 1354, 1357 amended, SB06-079, 078, HB06-1018 amended, 1046 amended, 1274 amended, 1313 amended, 1339 amended.**

Laid over until date indicated retaining place on Calendar:
HB06-1193 --March 14, 2006.

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

38	YES	62	NO	00	EXCUSED	02	ABSENT	01
39	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
40	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
41	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
42	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
43	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
44	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
45	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
46	Cadman	-	Harvey	Y	May	E	Stafford	Y
47	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
48	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	E
49	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
50	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
51	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
52	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
53	Crane	Y	King	Y	Penry	Y	White	Y
54	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
55							Speaker	Y

1 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

2

3 **HB06-1023** by Representative(s) King; also Senator(s) Windels--
4 Concerning educator licensure.

5

6 (Amended as printed in Senate Journal, March 6, page 414.)

7

8 Representative King moved that the House **concur** in Senate
9 amendments. The motion was declared **passed** by the following roll call
10 vote:

11

	YES	63	NO	00	EXCUSED	02	ABSENT	00
13	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
14	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
15	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
16	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
17	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
18	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
19	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
20	Cadman	Y	Harvey	Y	May	E	Stafford	Y
21	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
22	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	E
23	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
24	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
25	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
26	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
27	Crane	Y	King	Y	Penry	Y	White	Y
28	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
29							Speaker	Y

30

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

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

35

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

54

55

1 **HB06-1005** by Representative(s) Pommer, Benefield, King, Merrifield;
 2 also Senator(s) Bacon, Tupa, Windels, Williams--
 3 Concerning the authorization of additional school district
 4 revenues to fund costs associated with full-day
 5 kindergarten programs.
 6

7 (Amended as printed in Senate Journal, March 9, page 443.)
 8

9 Representative Pommer moved that the House **concur** in Senate
 10 amendments. The motion was declared **passed** by the following roll call
 11 vote:
 12

	YES	50	NO	13	EXCUSED	02	ABSENT	00
14	Balmer	N	Decker	Y	Larson	Y	Pommer	Y
15	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
16	Berens	Y	Gallegos	Y	Liston	N	Riesberg	Y
17	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
18	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
19	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
20	Butcher	Y	Hall	N	Massey	Y	Soper	Y
21	Cadman	N	Harvey	N	May	E	Stafford	Y
22	Carroll M	Y	Hefley	N	McCluskey	Y	Stengel	Y
23	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	E
24	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
25	Clapp	N	Jahn	N	McKinley	Y	Vigil	Y
26	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	N
27	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
28	Crane	N	King	Y	Penry	N	White	Y
29	Curry	Y	Knoedler	N	Plant	Y	Witwer	Y
30							Speaker	Y

31
 32 The question being, "Shall the bill, as amended, pass?".

33 A roll call vote was taken. As shown by the following recorded vote, a
 34 majority of those elected to the House voted in the affirmative, and the
 35 bill, as amended, was declared **repassed**.
 36

	YES	57	NO	06	EXCUSED	02	ABSENT	00
38	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
39	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
40	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
41	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
42	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	N
43	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
44	Butcher	Y	Hall	N	Massey	Y	Soper	Y
45	Cadman	N	Harvey	Y	May	E	Stafford	Y
46	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
47	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	E
48	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
49	Clapp	N	Jahn	Y	McKinley	Y	Vigil	Y
50	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
51	Coleman	Y	Kerr	Y	Paccione	Y	Welker	N
52	Crane	Y	King	Y	Penry	Y	White	Y
53	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
54							Speaker	Y

1 **HB06-1007** by Representative(s) Decker; also Senator(s) Williams--
 2 Concerning the transfer of a motor vehicle to a person not
 3 licensed as a motor vehicle dealer for the purpose of
 4 scrapping the motor vehicle.
 5

6 (Amended as printed in Senate Journal, March 9, page 443.)
 7

8 Representative Decker moved that the House **concur** in Senate
 9 amendments. The motion was declared **passed** by the following roll call
 10 vote:
 11

	YES	63	NO	00	EXCUSED	02	ABSENT	00
13	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
14	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
15	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
16	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
17	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
18	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
19	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
20	Cadman	Y	Harvey	Y	May	E	Stafford	Y
21	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
22	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	E
23	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
24	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
25	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
26	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
27	Crane	Y	King	Y	Penry	Y	White	Y
28	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
29							Speaker	Y

30
 31 The question being, "Shall the bill, as amended, pass?".
 32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative, and the
 34 bill, as amended, was declared **repassed**.
 35

	YES	57	NO	06	EXCUSED	02	ABSENT	00
37	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
38	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
39	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
40	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
41	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	N
42	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
43	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
44	Cadman	N	Harvey	Y	May	E	Stafford	Y
45	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	N
46	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	E
47	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
48	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
49	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	N
50	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
51	Crane	Y	King	Y	Penry	Y	White	Y
52	Curry	Y	Knoedler	N	Plant	Y	Witwer	Y
53							Speaker	Y

54 Co-sponsor added: Representative Todd.
 55
 56

1 **HB06-1032** by Representative(s) Hodge; also Senator(s) Brophy--
 2 Concerning inflation adjustments for irrigation districts.
 3

4 (Amended as printed in Senate Journal, March 9, page 443.)
 5

6 Representative Hodge moved that the House **concur** in Senate
 7 amendments. The motion was declared **passed** by the following roll call
 8 vote:
 9

	YES	59	NO	04	EXCUSED	02	ABSENT	00
11	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
12	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
13	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
14	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
15	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	N
16	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
17	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
18	Cadman	N	Harvey	Y	May	E	Stafford	Y
19	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
20	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	E
21	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
22	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
23	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
24	Coleman	Y	Kerr	Y	Paccione	Y	Welker	N
25	Crane	Y	King	Y	Penry	Y	White	Y
26	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
27							Speaker	Y

28
 29 The question being, "Shall the bill, as amended, 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
 32 bill, as amended, was declared **repassed**.
 33

	YES	56	NO	07	EXCUSED	02	ABSENT	00
35	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
36	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
37	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
38	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
39	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	N
40	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
41	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
42	Cadman	N	Harvey	Y	May	E	Stafford	Y
43	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
44	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	E
45	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
46	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
47	Cloer	N	Judd	Y	Merrifield	Y	Weissmann	N
48	Coleman	Y	Kerr	Y	Paccione	Y	Welker	N
49	Crane	Y	King	N	Penry	Y	White	Y
50	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
51							Speaker	Y

52 Co-sponsor added: Representative Coleman.
 53
 54
 55

1 **HB06-1179** by Representative(s) Hall; also Senator(s) Tapia--
 2 Concerning peace officer authority in Colorado for certain
 3 federal law enforcement officers.
 4

5 (Amended as printed in Senate Journal, March 9, page 444.)
 6

7 Representative Hall moved that the House **concur** in Senate amendments.
 8 The motion was declared **passed** by the following roll call vote:
 9

	YES	60	NO	03	EXCUSED	02	ABSENT	00
11	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
12	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
13	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
14	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
15	Boyd	Y	Gardner	N	Madden	Y	Schultheis	Y
16	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
17	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
18	Cadman	N	Harvey	Y	May	E	Stafford	Y
19	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
20	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	E
21	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
22	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
23	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
24	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
25	Crane	Y	King	Y	Penry	Y	White	Y
26	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
27							Speaker	Y

28
 29 The question being, "Shall the bill, as amended, 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
 32 bill, as amended, was declared **repassed**.
 33

	YES	52	NO	11	EXCUSED	02	ABSENT	00
35	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
36	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
37	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
38	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
39	Boyd	Y	Gardner	N	Madden	Y	Schultheis	N
40	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
41	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
42	Cadman	N	Harvey	N	May	E	Stafford	Y
43	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
44	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	E
45	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
46	Clapp	N	Jahn	Y	McKinley	N	Vigil	Y
47	Cloer	N	Judd	Y	Merrifield	Y	Weissmann	Y
48	Coleman	Y	Kerr	Y	Paccione	Y	Welker	N
49	Crane	Y	King	N	Penry	N	White	Y
50	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
51							Speaker	Y

52 Co-sponsors added: Representatives Butcher, Larson, Madden.
 53
 54
 55
 56

1 **REPORTS OF COMMITTEES OF REFERENCE**

2

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

6

7 **HB06-1368** be referred to the Committee of the Whole with favorable
8 recommendation.

9

10

11 **HB06-1369** be amended as follows, and as so amended, be referred to
12 the Committee of the Whole with favorable
13 recommendation:

14

15 Amend printed bill, page 1, line 2, strike "V (2)" and substitute "V (2),
16 (4), (6) (G)".

17

18 Page 2, line 3, strike "(2)".

19

20 Page 8, line 6, strike "\$2,5500,000" and insert "\$2,550,000";

21

22 after line 7, insert the following:

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
1 "(4) INDIGENT CARE PROGRAM							
2 Safety Net Provider							
3 Payments ⁴³	281,007,750		9,432,484(M)		131,071,391 ^a		140,503,875
4 The Children's Hospital,							
5 Clinic Based Indigent Care	6,119,760		3,059,880(M)				3,059,880
6 Pediatric Speciality							
7 Hospital	5,452,134		2,726,067(M)				2,726,067
8 H.B. 97-1304 Children's							
9 Basic Health Plan Trust	23,342,785		2,255,000		160,256 ^b	20,927,529 ^c	
10	25,342,785		4,255,000				
11 Children's Basic Health							
12 Plan Administration	4,181,207					1,947,089 ^d	2,234,118
13 Children's Basic Health							
14 Plan Premium Costs ⁴⁴	77,006,123					27,056,309 ^d	49,949,814
15 Children's Basic Health							
16 Plan Dental Benefit Costs	6,218,783					2,176,574 ^d	4,042,209
17 Comprehensive Primary							
18 and Preventive Care Fund	2,615,941					2,615,941 ^e	

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1 Comprehensive Primary							
2 and Preventive Care Grants							
3 Program	2,615,941					2,615,941 ^f	
4	<u>2,615,941</u>	408,560,424					
5		410,560,424					
6							

7 ^a This amount represents public funds certified as representing expenditures incurred by hospitals that are eligible for federal financial participation under the Medicaid
 8 Major Teaching Hospital Program, Medicaid, and the Medicaid Disproportionate Share Payments to Hospitals Program.

9 ^b This amount shall be from annual premiums paid by participating families.

10 ^c This amount shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., pursuant to Section 24-75-1104.5 (1) (c), C.R.S.

11 ^d These amounts shall be from the Children's Basic Health Plan Trust created in Section 26-19-105, C.R.S.

12 ^e This amount shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., pursuant to Section 24-75-1104.5 (1) (b), C.R.S.

13 ^f This amount shall be from the Comprehensive Primary and Preventive Care Fund created in Section 26-4-1007, C.R.S., pursuant to Section 24-75-1104.5 (1) (b),

14 C.R.S."

15

16 Page 11, in the TOTAL column, strike "\$3,307,396,216" and substitute "\$3,309,396,216"; and, in the GENERAL FUND column, strike "\$1,398,776,231" and substitute
 17 "\$1,400,776,231".

1 **HB06-1370** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB06-1371** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 15, line 4, after the third "SERVICES," insert
10 "COMMUNITY SERVICES,";
11

12 strike lines 12 through 17 and substitute the following:
13

14 **"75b** DEPARTMENT OF HUMAN SERVICES, SERVICES FOR PEOPLE WITH
15 DISABILITIES, DEVELOPMENTAL DISABILITY SERVICES,
16 COMMUNITY SERVICES, ADULT PROGRAM COSTS AND SERVICES
17 FOR CHILDREN AND FAMILIES, PROGRAM FUNDING--THE
18 DEPARTMENT IS REQUESTED TO PROVIDE A REPORT TO THE JOINT
19 BUDGET COMMITTEE BY NOVEMBER 1, 2006, CONCERNING THE
20 DISTRIBUTION OF NEW ADULT COMPREHENSIVE RESOURCES, ADULT
21 SUPPORTED LIVING SERVICE RESOURCES, AND CHILDREN'S EARLY
22 INTERVENTION RESOURCES PROVIDED EFFECTIVE APRIL 1, 2006. IT
23 IS THE INTENT OF THE GENERAL ASSEMBLY THAT, IN DISTRIBUTING
24 SUCH NEW RESOURCES, THE DEPARTMENT TAKE INTO
25 CONSIDERATION, AMONG OTHER FACTORS, THE NEED TO REDUCE
26 INEQUITIES AMONG COMMUNITY CENTERED BOARDS IN RATES PAID
27 BY THE STATE AND NUMBERS OF RESOURCES ALLOCATED PER
28 CAPITA OF THE GENERAL POPULATION."
29
30
31

32 **HB06-1372** be referred to the Committee of the Whole with favorable
33 recommendation.
34
35

36 **HB06-1373** be amended as follows, and as so amended, be referred to
37 the Committee of the Whole with favorable
38 recommendation:
39

40 Amend printed bill, page 4, line 5, strike "06-_____", and substitute
41 "06-1373,";
42

43 line 16, strike "06-_____", and substitute "06-1373,".
44
45
46

47 **HB06-1374** be referred to the Committee of the Whole with favorable
48 recommendation.
49

PRINTING REPORT

50
51
52
53 The Chief Clerk reports the following bills have been correctly printed:
54 **HB06-1376, 1377.**
55
56

INTRODUCTION OF MEMORIAL

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

HM06-1002 by Representative(s) Hoppe--Memorializing former Representative David A. Hamil.

House in recess. House reconvened.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB06-1055, 1140; HJR06-1018.**

DELIVERY OF BILL TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bill has been delivered to the Office of the Governor: **HB06-1030** at 3:27 p.m., on March 13, 2006.

**INTRODUCTION OF BILL
First Reading**

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

HB06-1376 by Representative(s) Jahn--Concerning time limitations on collateral attacks on trial judgments.
Committee on Judiciary

CHANGE IN SPONSORSHIP

Speaker Romanoff announced that Representative Buescher has replaced Representative Penry as House sponsor for **SB06-152.**

LAY OVER OF CALENDAR ITEMS

On motion of Representative Madden, the following items on the Calendar were laid over until March 14, retaining place on Calendar:

Consideration of Special Orders--**HB06-1280, 1327, 1275, SB06-121, 134.**

Consideration of General Orders--**HB06-1352, SB06-115.**

Consideration of Conference Committee Report--**HB06-1215.**

Consideration of Resolutions--**HJR06-1015, 1016.**

Consideration of Senate Amendment--**HB06-1125.**

Consideration of Governor's Veto--**HB06-1216.**

1 On motion of Representative Jahn, the House adjourned until 9:00 a.m.,
2 March 14, 2006.

3

4

Approved:
ANDREW ROMANOFF,
Speaker

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk