

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

Fifty-fifth Legislative Day

Monday, March 6, 2006

- 1 Prayer by the Reverend Brad Strait, South Fellowship, Littleton.  
2  
3 The Speaker called the House to order at 10:00 a.m.  
4  
5 Pledge of Allegiance led by Jovana Acosta, Michelle Harrington, from  
6 Revere High School, Ovid.  
7  
8 The roll was called with the following result:  
9  
10 Present--61.  
11 Excused--Representatives Clapp, Sullivan--2.  
12 Absent--Representatives Pommer, Vigil--2.  
13 Present after roll call--Representatives Clapp, Pommer, Vigil.  
14  
15 The Speaker declared a quorum present.

16 \_\_\_\_\_  
17  
18 On motion of Representative Garcia, the reading of the journal of  
19 March 3, 2006, was declared dispensed with and approved as corrected  
20 by the Chief Clerk.  
21 \_\_\_\_\_  
22  
23

**RECALL OF HB06-1087**

24  
25  
26 Representative Larson moved for the recall of **HB06-1087** for the  
27 purpose of reconsideration. The motion was passed by the following roll  
28 call vote:  
29

	YES	62	NO	00	EXCUSED	01	ABSENT	02
31	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
32	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
33	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
34	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
35	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
36	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
37	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
38	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
39	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
40	Carroll T	Y	Hodge	Y	McFadyen	-	Sullivan	E
41	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
42	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
43	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y

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

5 The Governor was requested to return the bill.

6

7

8

9 On motion of Representative Riesberg, the House resolved itself into  
10 Committee of the Whole for consideration of General Orders, and he was  
11 called to the Chair to act as Chairman.

12

13

14

### 15 GENERAL ORDERS--SECOND READING OF BILLS

16

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

21

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

24

25 **HB06-1008** by Representative(s) Massey; also Senator(s) Isgar--  
26 Concerning reimbursement for supplemental on-line  
27 education courses.

28

29 Amendment No. 1, Education Report, dated January 24, 2006, and placed  
30 in member's bill file; Report also printed in House Journal, January 25,  
31 pages 89-90.

32

33 Amendment No. 2, Appropriations Report, dated February 24, 2006, and  
34 placed in member's bill file; Report also printed in House Journal,  
35 February 27, pages 554-555.

36

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

39

40

41 **HB06-1154** by Representative(s) Berens, Cerbo, Rose, Sullivan, Todd;  
42 also Senator(s) Hanna--Concerning the issuance of  
43 heirloom certificates.

44

45 Amendment No. 1, Health and Human Services Report, dated February  
46 6, 2006, and placed in member's bill file; Report also printed in House  
47 Journal, February 7, pages 244-245.

48

49 Amendment No. 2, Appropriations Report, dated February 24, 2006, and  
50 placed in member's bill file; Report also printed in House Journal,  
51 February 27, pages 555-557.

52

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

55

56

1 **HB06-1351** by Representative(s) Rose, Buescher, Penry; also  
2 Senator(s) Isgar--Concerning the continuation of the  
3 statewide program for teen pregnancy and dropout  
4 prevention.

5  
6 Amendment No. 1, by Representative Rose.

7  
8 Amend printed bill, page 2, strike line 23 and substitute the following:

9  
10 "1, ~~2006~~ 2011. PRIOR TO SUCH REPEAL, THE TEEN PREGNANCY AND  
11 DROPOUT PREVENTION PROGRAM IMPLEMENTED BY THE DEPARTMENT  
12 PURSUANT TO THIS PART 8 SHALL BE REVIEWED AS PROVIDED IN SECTION  
13 24-34-104, C.R.S.

14  
15 **SECTION 4.** 24-34-104 (42), Colorado Revised Statutes, is  
16 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

17  
18 **24-34-104. General assembly review of regulatory agencies  
19 and functions for termination, continuation, or reestablishment.**

20 (42) The following agencies, functions, or both, shall terminate on July  
21 1, 2011:

22  
23 (j) THE TEEN PREGNANCY AND DROPOUT PREVENTION PROGRAM,  
24 CREATED IN SECTION 26-4-803, C.R.S."

25  
26 Renumber succeeding section accordingly.

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

30  
31  
32 **SB06-160** by Senator(s) Isgar; also Representative(s) Curry--  
33 Concerning the membership of the governing board of a  
34 local government retirement organization.

35  
36 Ordered revised and placed on the Calendar for Third Reading and Final  
37 Passage.

38  
39  
40 **SB06-062** by Senator(s) Taylor; also Representative(s) McKinley--  
41 Concerning electronic voting by certain electors who are  
42 absent from the state on election day.

43  
44 Amendment No. 1, State, Veterans, & Military Affairs Report, dated  
45 February 28, 2006, and placed in member's bill file; Report also printed  
46 in House Journal, March 1, pages 605-606.

47  
48 Amendment No. 2, by Representative McKinley.

49  
50 Amend the State, Veterans, & Military Affairs Committee Report, dated  
51 February 28, 2006, page 1, strike lines 1 and 2 and substitute the  
52 following:

53  
54 "Amend reengrossed bill, page 3, line 22, strike "STATES, A VOLUNTEER  
55 SERVING" and substitute "STATES";

56

1 strike line 23 and substitute the following:  
2 "MAY";".

3  
4 As amended, ordered revised and placed on the Calendar for Third  
5 Reading and Final Passage.

6  
7 **HB06-1356** by Representative(s) Judd; also Senator(s) Owen--  
8 Concerning the exemption of certain licensed  
9 professionals from the requirement to obtain a supervised  
10 lender license in order to take assignment of supervised  
11 loans in default, and, in connection therewith, specifically  
12 exempting Colorado-licensed collection agencies and  
13 attorneys from supervised lender licensing when taking  
14 assignment of supervised loans in default.

15  
16 Ordered engrossed and placed on the Calendar for Third Reading and  
17 Final Passage.

18  
19 **SB06-033** by Senator(s) Owen; also Representative(s) Coleman--  
20 Concerning the elimination of obsolete statutory language.

21  
22 Laid over until March 7, retaining place on Calendar.

23  
24 On motion of Representative Madden, the remainder of the General  
25 Orders Calendar (**HB06-1193, 1066, 1335, SB06-057, HB06-1338,**  
26 **SB06-093**) was laid over until March 7, retaining place on Calendar.

27  
28  
29 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

30  
31 Passed Second Reading: **HB06-1008 amended, 1154 amended, 1351**  
32 **amended, SB06-160, 062 amended, HB06-1356.**

33  
34 Laid over until date indicated retaining place on Calendar: **HB06-1193,**  
35 **1066, 1335, SB06-033, 057, HB06-1338, SB06-093--**March 7, 2006.

36  
37 The Chairman moved the adoption of the Committee of the Whole  
38 Report. As shown by the following roll call vote, a majority of those  
39 elected to the House voted in the affirmative, and the Report was  
40 **adopted.**

41  
42

	YES	61	NO	02	EXCUSED	02	ABSENT	00
43	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
44	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
45	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
46	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
47	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
48	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
49	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
50	Cadman	N	Harvey	Y	May	Y	Stafford	Y
51	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
52	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	E
53	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
54	Clapp	Y	Jahn	E	McKinley	Y	Vigil	Y
55	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
56	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y

1	Crane	Y	King	Y	Penry	Y	White	Y
2	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
3							Speaker	Y

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## REPORTS OF COMMITTEE OF REFERENCE

### JUDICIARY

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

11  
12 **HB06-1296** be amended as follows, and as so amended, be referred to  
13 the Committee on Finance with favorable  
14 recommendation:

15  
16 Amend printed bill, page 6, strike lines 26 and 27 and substitute the  
17 following:

18  
19 "(V) HAS PLEAD GUILTY TO OR BEEN CONVICTED OF A VIOLATION  
20 OF SECTION 18-13-122 OR 12-47-901 (1) (b) OR (1) (c), C.R.S., AND THE  
21 PERSON HAS BEEN CITED FOR A VIOLATION OF SECTION 18-13-122 OR 12-  
22 47-901 (1) (b) OR (1) (c), C.R.S., PREVIOUS TO THE CURRENT CHARGE."

23  
24 Page 7, strike line 1;

25  
26 line 8, strike "SHALL" and substitute "MAY";

27  
28 line 9, after the period, add "NOTWITHSTANDING ANY OTHER PROVISIONS  
29 OF THIS SECTION, THE NOTICE SHALL BE RETURNABLE NO LESS THAN  
30 THIRTY DAYS FROM THE DATE OF THE NOTICE. AT THE HEARING, THE  
31 ADMINISTRATIVE HEARING OFFICER SHALL ORDER THE REVOCATION IF THE  
32 OFFICER DETERMINES THE PERSON HAS PLEAD GUILTY TO OR BEEN  
33 CONVICTED OF A VIOLATION OF SECTION 18-13-122 OR 12-47-901 (1) (b)  
34 OR (1) (c), C.R.S., AND THE PERSON HAS BEEN CITED FOR A VIOLATION OF  
35 SECTION 18-13-122 OR 12-47-901 (1) (b) OR (1) (c), C.R.S., PREVIOUS TO  
36 THE CURRENT CHARGE. IF THE ADMINISTRATIVE HEARING OFFICER FINDS  
37 THE PERSON'S CASE HAS BEEN DISMISSED, THE OFFICER SHALL DISMISS THE  
38 NOTICE OF REVOCATION. IF THE ADMINISTRATIVE HEARING OFFICER FINDS  
39 THE PERSON'S CASE HAS NOT PROCEEDED TO FINAL JUDGMENT, THE  
40 HEARING OFFICER SHALL STAY THE REVOCATION UNTIL DISPOSITION OF  
41 THE PERSON'S CASE AND ORDER ANOTHER HEARING WITHIN SIXTY DAYS OF  
42 THE DATE OF THE FINDING."

43  
44  
45  
46 **HB06-1305** be postponed indefinitely.

47  
48  
49 **HB06-1347** be amended as follows, and as so amended, be referred to  
50 the Committee on Finance with favorable  
51 recommendation:

52  
53 Amend printed bill, page 12, strike line 23 and substitute the following:  
54 "LENDER LICENSE, EACH SUPERVISED LENDER BRANCH LICENSE, AND EACH  
55 RENEWAL OF THOSE LICENSES ISSUED".

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**PRINTING REPORT**1  
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The Chief Clerk reports the following bills have been correctly printed:  
**HB06-1366, 1367.**

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**MESSAGES FROM THE SENATE**

The Senate has adopted and transmits herewith: SJR06-012.

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The Senate has passed on Third Reading and returns herewith HB06-1180, HB06-1319, HB06-1142, HB06-1104, HB06-1081, HB06-1035.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB06-1187, amended as printed in Senate Journal, March 3, 2006, page 397,

HB06-1068, amended as printed in Senate Journal, March 3, 2006, page 398,

HB06-1059, amended as printed in Senate Journal, March 3, 2006, page 398,

HB06-1039, amended as printed in Senate Journal, March 3, 2006, page 399.

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**MESSAGE FROM THE REVISOR**

We herewith transmit:

Without comment, as amended, HB06-1187, 1059, 1039, and 1068.

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**INTRODUCTION OF RESOLUTIONS**

The following resolutions were read by title and laid over one day under the rules:

**HJR06-1018** by Representative(s) Witwer, Larson, Curry, Kerr, McCluskey, McGihon, Pommer, Rose, White; also Senator(s) Traylor, Tochtrop--Concerning the proposed sale of United States forest lands to provide funding to reauthorize the federal "Secure Rural Schools and Community Self-Determination Act of 2000", and, in connection therewith, urging the United States Forest Service to rescind the proposal for the sale of these lands.

**SJR06-012** by Senator(s) Traylor; also Representative(s) Green--Concerning the proclamation of March 2006 as "Colorectal Cancer Awareness Month".

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House in recess. House reconvened.

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1                                   **DELIVERY OF BILLS TO GOVERNOR**

2  
3 The Chief Clerk of the House of Representatives reports the following  
4 bills have been delivered to the Office of the Governor: **HB06-1028,**  
5 **1136** at 1:54 p.m., on March 6, 2006.  
6

7  
8  
9                                   **INTRODUCTION OF BILL**  
10                                   **First Reading**

11  
12 The following bill was read by title and referred to the committee  
13 indicated:

14  
15 **SB06-037** by Senator(s) Isgar; also Representative(s) Curry--  
16 Concerning the adjudication of recreational in-channel  
17 diversions.  
18 Committee on Agriculture, Livestock, & Natural Resources  
19

20  
21                                   **APPOINTMENT**

22  
23  
24 The Speaker announced the following change in Committee assignment  
25 made by Representative May:  
26 Committee on Local Government--Representative Stengel to replace  
27 Representative May.  
28

29                                   Correction

30  
31  
32 H.J. page 622, line 44 before the period, insert ", 1136".  
33

34  
35                                   **LAY OVER OF CALENDAR ITEMS**

36  
37  
38 On motion of Representative Garcia, the following items on the Calendar  
39 were laid over until March 7, retaining place on Calendar:

40  
41 Consideration of Special Orders--**HB06-1281.**  
42 Consideration of Third Reading--**HB06-1251.**  
43 Consideration of Resolutions--**HJR06-1013, 1015, 1017.**  
44 Consideration of Senate Amendments--**HB06-1040, 1175, 1033, 1048.**  
45

46  
47  
48 On motion of Representative Hefley, the House adjourned until 9:00 a.m.,  
49 March 7, 2006.  
50

51                                   Approved:  
52                                   ANDREW ROMANOFF,  
53                                   Speaker

54 Attest:  
55 MARILYN EDDINS,  
56 Chief Clerk