

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

Twenty-second Legislative Day                      Wednesday, February 1, 2006

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian  
2 Church, Denver.

3  
4 The Speaker called the House to order at 9:00 a.m.

5  
6 Pledge of Allegiance led by Representative Crane.

7  
8 The roll was called with the following result:

9  
10            Present--63.  
11            Excused--Representatives Cloer, Stafford--2.  
12            Present after roll call--Representatives Cloer, Stafford.

13  
14 The Speaker declared a quorum present.

15  
16  
17 On motion of Representative Benefield, the reading of the journal of  
18 January 31, 2006, was declared dispensed with and approved as corrected  
19 by the Chief Clerk.

20  
21  
22  
23  
24                      **THIRD READING OF BILLS--FINAL PASSAGE**

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

29  
30 **HB06-1038** by Representative(s) Borodkin; also Senator(s) Bacon--  
31 Concerning the Colorado economic development  
32 commission, and, in connection therewith, establishing  
33 minimum standards for recipients of moneys from the  
34 Colorado economic development fund, establishing  
35 reporting requirements for the recipients, and extending  
36 the statutory repeal date for the commission.

37  
38 Laid over until February 2, retaining place on Calendar.

39  
40 **HB06-1056** by Representative(s) Madden; also Senator(s) Hanna--  
41 Concerning the provision of healthy nutrition alternatives  
42 in public schools.

43

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

	YES	36	NO	28	EXCUSED	01	ABSENT	00
7	Balmer	N	Decker	N	Larson	Y	Pommer	Y
8	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
9	Berens	N	Gallegos	Y	Liston	N	Riesberg	Y
10	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
11	Boyd	Y	Gardner	N	Madden	Y	Schultheis	N
12	Buescher	N	Green	Y	Marshall	Y	Solano	Y
13	Butcher	Y	Hall	N	Massey	Y	Soper	Y
14	Cadman	N	Harvey	N	May	N	Stafford	N
15	Carroll M	Y	Hefley	N	McCluskey	Y	Stengel	N
16	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	N
17	Cerbo	Y	Hoppe	N	McGihon	Y	Todd	Y
18	Clapp	N	Jahn	N	McKinley	Y	Vigil	Y
19	Cloer	E	Judd	N	Merrifield	Y	Weissmann	N
20	Coleman	Y	Kerr	N	Paccione	Y	Welker	N
21	Crane	N	King	N	Penry	N	White	N
22	Curry	Y	Knoedler	N	Plant	Y	Witwer	Y
23							Speaker	Y

24 Co-sponsors added: Representatives Borodkin, Butcher, Curry, Frangas,  
 25 Gallegos, Larson, Marshall, McGihon, Plant, Ragsdale, and Todd.

26  
 27 **HB06-1093** by Representative(s) White--Concerning Colorado  
 28 northwestern community college.

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	57	NO	07	EXCUSED	01	ABSENT	00
36	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
37	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
38	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
39	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
40	Boyd	Y	Gardner	N	Madden	Y	Schultheis	N
41	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
42	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
43	Cadman	N	Harvey	N	May	N	Stafford	Y
44	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
45	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
46	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
47	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
48	Cloer	E	Judd	Y	Merrifield	Y	Weissmann	Y
49	Coleman	Y	Kerr	Y	Paccione	Y	Welker	N
50	Crane	Y	King	Y	Penry	Y	White	Y
51	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
52							Speaker	Y

53 Co-sponsors added: Representatives McFadyen, and Sullivan.

54  
 55

1 **HB06-1098** by Representative(s) Cloer; also Senator(s) Keller--  
 2 Concerning the inclusion of mental health in-service  
 3 programs in professional development options for public  
 4 school educators, and, in connection therewith, allowing  
 5 public school educators to receive credit for suicide  
 6 prevention education programs.

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

	YES	63	NO	02	EXCUSED	00	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	N	Rose	Y
17	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	N
18	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
19	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
20	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
21	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
22	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
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 Co-sponsors added: Representatives Benefield, Berens, Boyd, Kerr, Larson,  
 31 Marshall, McFadyen, McGihon, Merrifield, Ragsdale, Solano, Stafford, Sullivan,  
 32 and Todd.

33  
 34 **HB06-1063** by Representative(s) Cadman; also Senator(s) McElhany--  
 35 Concerning clarifying a court's ability to impose global  
 36 position monitoring on persons involved in criminal  
 37 matters.

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
44	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
45	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
46	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
47	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
48	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
49	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
50	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
51	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
52	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
53	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
54	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
55	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
56	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y

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

5 Co-sponsors added: Representatives Balmer, Berens, Coleman, Garcia, Hoppe,  
6 Jahn, Kerr, King, Knoedler, Schultheis, Stafford, Sullivan, Todd, Welker, and  
7 Speaker.

## 10 **REPORTS OF COMMITTEES OF REFERENCE**

### 12 **EDUCATION**

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

16 **HB06-1046** be amended as follows, and as so amended, be referred to  
17 the Committee on Finance with favorable  
18 recommendation:

20 Amend printed bill, page 4, line 5, strike "EXCEPT AS OTHERWISE";

21 strike lines 6 through 17 and substitute the following:

23 "A PERSON WHO APPLIES FOR ISSUANCE OR RENEWAL OF AN  
24 OCCUPATIONAL CREDENTIAL AND WHO MAY BE TEACHING STUDENTS IN A  
25 SCHOOL DESIGNATED BY THE BOARD PURSUANT TO SECTION 12-59-105.3  
26 (1) (n) SHALL, BEGINNING JULY 1, 2006, IN CONJUNCTION WITH HIS OR HER  
27 CREDENTIALING APPLICATION MATERIALS, SUBMIT A SET OF HIS OR HER  
28 FINGERPRINTS TO THE COLORADO BUREAU OF INVESTIGATION FOR THE  
29 PURPOSE OF CONDUCTING A STATE AND NATIONAL FINGERPRINT-BASED  
30 CRIMINAL HISTORY RECORD CHECK UTILIZING RECORDS OF THE COLORADO  
31 BUREAU OF INVESTIGATION AND THE FEDERAL BUREAU OF INVESTIGATION.  
32 NOTHING IN THIS SECTION SHALL PRECLUDE THE BOARD FROM MAKING  
33 FURTHER INQUIRIES INTO THE BACKGROUND OF THE APPLICANT. THE  
34 APPLICANT SHALL PAY THE FEE ESTABLISHED BY THE COLORADO BUREAU  
35 OF INVESTIGATION FOR CONDUCTING THE FINGERPRINT-BASED CRIMINAL  
36 HISTORY RECORD CHECK. UPON COMPLETION OF THE CRIMINAL HISTORY  
37 RECORD CHECK, THE BUREAU SHALL FORWARD THE RESULTS TO THE  
38 BOARD. THE BOARD SHALL CONDUCT A REVIEW OF THE CREDENTIALING  
39 APPLICATION, INCLUDING A REVIEW OF THE RESULTS OF THE CRIMINAL  
40 HISTORY RECORD CHECK FORWARDED BY THE BUREAU.";

42 line 18, strike "THIS SUBSECTION (1). AN" and substitute "(b) AN";

44 line 19, strike "NOT";

46 line 20, after "FINGERPRINTS", insert "PURSUANT TO PARAGRAPH (a) OF  
47 THIS SUBSECTION (1) EVEN";

49 strike lines 21 through 27 and substitute the following:

51 "HIS OR HER FINGERPRINTS PURSUANT TO PARAGRAPH (a) OF THIS  
52 SUBSECTION (1).".

54 Page 5, strike lines 1 through 13.

56 Renumber succeeding subsection accordingly.

1 **HB06-1109** be amended as follows, and as so amended, be referred to  
 2 the Committee of the Whole with favorable  
 3 recommendation:  
 4

5 Amend printed bill, page 2, line 24, strike "amended" and substitute  
 6 "amended, and the said 22-11-301 is further amended BY THE  
 7 ADDITION OF A NEW SUBSECTION,".  
 8

9 Page 3, after line 8, insert the following:  
 10

11 "(3) IN ADDITION TO THE MONETARY AWARDS MADE AND  
 12 DISTRIBUTED PURSUANT TO SECTIONS 22-11-302, 22-11-303, AND  
 13 22-11-305, THE STATE BOARD MAY ANNUALLY APPLY ANY AMOUNT  
 14 REMAINING FROM THE AMOUNT ANNUALLY APPROPRIATED FOR  
 15 IMPLEMENTATION OF SECTION 22-7-604.3 TO PROVIDE TANGIBLE ITEMS OF  
 16 RECOGNITION, SUCH AS BANNERS OR TROPHIES, TO SCHOOLS THAT RECEIVE  
 17 THE JOHN IRWIN SCHOOLS OF EXCELLENCE AWARDS AND THE GOVERNOR'S  
 18 DISTINGUISHED IMPROVEMENT AWARDS.";  
 19

20 line 18, after the period, add "THE COSTS OF PROVIDING TECHNICAL  
 21 ASSISTANCE AND TRAINING PURSUANT TO THIS PARAGRAPH (h) SHALL BE  
 22 PAID WITHIN EXISTING APPROPRIATIONS FOR IMPLEMENTATION OF THIS  
 23 SECTION."  
 24

25 Page 4, after line 1, insert the following:  
 26

27 "**SECTION 5.** 22-7-604 (1.5) (b) and (6) (d), Colorado Revised  
 28 Statutes, are amended to read:  
 29

30 **22-7-604. Academic performance - academic growth of**  
 31 **students - rating - designation and methodology.** (1.5) (b) The scores  
 32 of certain students specified in section 22-7-409 (1.2) (d) (I) shall not be  
 33 used to calculate a school's academic performance ~~or academic~~  
 34 ~~improvement~~ rating OR RATING FOR ACADEMIC GROWTH OF STUDENTS  
 35 pursuant to this section.  
 36

37 (6) **Academic growth of students measurement.** (d) The total  
 38 number of scores in the "gain", "stable", and "loss" categories shall each  
 39 be divided by the total number of qualified scale scores. The resulting  
 40 percentage of scores in the "loss" category shall be subtracted from the  
 41 percentage of scores in the "gain" category. If the resulting difference is:  
 42

43 (I) 10.00% or greater, the department shall assign ~~an academic~~  
 44 ~~improvement rating~~ A RATING FOR ACADEMIC GROWTH OF STUDENTS OF  
 45 "significant improvement" to the public school;  
 46

47 (II) 5.01% to 9.99%, the department shall assign ~~an academic~~  
 48 ~~improvement rating~~ A RATING FOR ACADEMIC GROWTH OF STUDENTS OF  
 49 "improvement" to the public school;  
 50

51 (III) -5.00% to 5.00%, the department shall assign ~~an academic~~  
 52 ~~improvement rating~~ A RATING FOR ACADEMIC GROWTH OF STUDENTS OF  
 53 "stable" to the public school;  
 54

55 (IV) -5.01% to -9.99%, the department shall assign ~~an academic~~  
 56 ~~improvement rating~~ A RATING FOR ACADEMIC GROWTH OF STUDENTS OF  
 "decline" to the public school;

1 (V) -10.00% or lower, the department shall assign ~~an academic~~  
 2 ~~improvement rating~~ A RATING FOR ACADEMIC GROWTH OF STUDENTS of  
 3 "significant decline" to the public school.  
 4

5 **SECTION 6.** 22-7-604.5 (2.5) (c) (I), Colorado Revised Statutes,  
 6 is amended to read:  
 7

8 **22-7-604.5. Alternative education campuses - criteria -**  
 9 **application - rule-making.** (2.5) (c) Notwithstanding the provisions of  
 10 section 22-7-605 (4) (b), (4) (c), (8) (a), (8) (b), and (8) (d), the school  
 11 accountability report for an alternative education campus qualifying  
 12 under sub-subparagraph (D) of subparagraph (VI) of paragraph (a) of  
 13 subsection (1) of this section:  
 14

15 (I) Shall include, following the words "Overall Academic  
 16 Performance" and following the words "~~Academic Improvement Rating~~  
 17 ~~calculated pursuant to section 22-7-604 (6)~~" "ACADEMIC GROWTH OF  
 18 STUDENTS", in place of both ratings required under section 22-7-605 (4)  
 19 (b), the words "Alternative Education Campus";  
 20

21 **SECTION 7.** 26-6.5-106 (2) (d) (I) (B), Colorado Revised  
 22 Statutes, is amended to read:  
 23

24 **26-6.5-106. School-readiness quality improvement program.**  
 25 (2) **Definitions.** As used in this section, unless the context otherwise  
 26 requires:  
 27

28 (d) "Eligible elementary school" means a public elementary  
 29 school that:  
 30

31 (I) (B) For the school year immediately preceding submission of  
 32 the early childhood care and education council's application for funding,  
 33 has been assigned ~~an academic improvement rating~~ A RATING FOR  
 34 ACADEMIC GROWTH OF STUDENTS of "decline" or "significant decline", as  
 35 described in section 22-7-604, C.R.S., and, for the same school year, has  
 36 an overall academic performance rating of "average", pursuant to section  
 37 22-7-604, C.R.S.; and".  
 38

39 Renumber succeeding section accordingly.  
 40  
 41  
 42

43 **HB06-1121** be amended as follows, and as so amended, be referred to  
 44 the Committee of the Whole with favorable  
 45 recommendation:  
 46

47 Amend printed bill, page 3, line 8, after "DIPLOMA", insert "AND  
 48 TRANSCRIPT".  
 49  
 50  
 51  
 52  
 53  
 54

1 **HEALTH & HUMAN SERVICES**

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

4  
5 **HB06-1078** be amended as follows, and as so amended, be referred to  
6 the Committee on Finance with favorable  
7 recommendation:

8  
9 Amend printed bill, page 4, line 20, after "(2)", insert "(a)".

10  
11 Page 5, after line 6, insert the following:

12  
13 "(b) IF A LOCAL BOARD OF HEALTH SETS FEES FOR LICENSES FOR  
14 RETAIL FOOD ESTABLISHMENTS, THE FEES MAY INCREASE NOT MORE THAN  
15 FIFTY PERCENT FROM JULY 1, 2006, TO JUNE 30, 2007, AND NOT MORE  
16 THAN THIRTY PERCENT EVERY OTHER YEAR AFTER JULY 1, 2007.";

17  
18 line 23, strike "THREE" and substitute "TWO".

19  
20  
21  
22 **HB06-1103** be amended as follows, and as so amended, be referred to  
23 the Committee of the Whole with favorable  
24 recommendation:

25  
26 Amend printed bill, page 2, strike lines 2 through 13.

27  
28 Renumber succeeding sections accordingly.

29  
30 Page 2, line 16, strike "ANY";

31  
32 strike line 17 and substitute the following:

33  
34 "IF A FACILITY REQUIRES A LEASE AGREEMENT WITH A PROVISION  
35 REQUIRING IN EXCESS OF A MONTH-TO-MONTH TENANCY AND THE LEASE  
36 AGREEMENT RESULTS IN OR";

37  
38 line 18, strike "ONE MONTH" and substitute "THIRTY DAYS".

39  
40 Page 3, strike line 1 and substitute the following:

41  
42 "LEASE AGREEMENT, THEN THE LEASE AGREEMENT SHALL BE DEEMED TO  
43 BE AGAINST";

44  
45 line 5, strike "ONE MONTH" and substitute "THIRTY DAYS";

46  
47 strike line 12 and substitute the following:

48  
49 "AGREEMENT, THE";

50  
51 line 13, strike "ONE";

52  
53 line 14, strike "MONTH'S" and substitute "THIRTY DAYS";

54  
55 line 20, after "REMOVED.", insert "THE FACILITY SHALL HAVE FORTY-FIVE  
56 DAYS AFTER THE DATE THE PATIENT'S PERSONAL POSSESSIONS HAVE BEEN

1 REMOVED FROM THE PATIENT'S ROOM TO RECONCILE THE PATIENT'S  
2 ACCOUNTS AND TO RETURN ANY MONEYS OWED.";

3  
4 line 25, strike "ONE MONTH'S" and substitute "THIRTY DAYS".

5  
6 Page 4, strike line 13 and substitute the following:

7  
8 **"deposits and rent.** IF A LEASE PROVISION IN A RESIDENT CARE";

9  
10 line 15, strike "THAT";

11  
12 line 16, strike "ONE MONTH" and substitute "THIRTY DAYS";

13  
14 line 17, strike "PLAN OR CONTRACT" and substitute "PLAN, THEN THE  
15 PLAN";

16  
17 line 22, strike "ONE MONTH" and substitute "THIRTY DAYS".

18  
19 Page 5, line 1, strike "PERSONAL CARE BOARDING HOME" and substitute  
20 "ASSISTED LIVING RESIDENCE";

21  
22 line 2, strike "ONE MONTH'S" and substitute "THIRTY DAYS";

23  
24 line 4, strike "PERSONAL CARE BOARDING HOME" and substitute "ASSISTED  
25 LIVING RESIDENCE";

26  
27 line 11, strike "ONE MONTH'S" and substitute "THIRTY DAYS";

28  
29 strike lines 13 through 18 and substitute the following:

30  
31 **"SECTION 4. Effective date - applicability.** (1) This act shall  
32 take effect January 1, 2007.

33  
34 (2) However, if a referendum petition is filed against this act or  
35 an item, section, or part of this act during the 90-day period after final  
36 adjournment of the general assembly that is allowed for submitting a  
37 referendum petition pursuant to article V, section 1 (3) of the state  
38 constitution, then the act, item, section, or part, shall not take effect  
39 unless approved by the people at a biennial regular general election and  
40 shall take effect on the date specified in subsection (1) or on the date of  
41 the official declaration of the vote thereon by proclamation of the  
42 governor, whichever is later.

43  
44 (3) The provisions of this act shall apply to resident care plans  
45 executed on or after the applicable effective date of this act."

46  
47  
48  
49 **HB06-1113** be referred to the Committee of the Whole with favorable  
50 recommendation.

51  
52  
53 **HB06-1127** be amended as follows, and as so amended, be referred to  
54 the Committee on Finance with favorable  
55 recommendation:

56



- 1 Amend printed bill, page 3, line 22, after "INDIVIDUAL", insert "WHILE".  
2  
3 Page 4, line 16, strike "AND";  
4  
5 after line 16, insert the following:  
6  
7       "(VI) THE REFERRAL OF AN INDIVIDUAL RECEIVING SERVICES TO  
8 APPROPRIATE HEALTH CARE PERSONNEL AS NEEDED; AND".  
9  
10 Renumber succeeding subparagraph accordingly.  
11  
12 Page 4, line 19, strike "(3):" and substitute "(3), "INJURIES AND  
13 ILLNESSES" INCLUDES THOSE CONDITIONS FOR";  
14  
15 strike line 20;  
16  
17 line 22, strike "CARE AS" and substitute "CARE.";  
18  
19 strike lines 23 through 27 and substitute the following:  
20  
21 "NOTHING IN THIS PART 3 SHALL BE CONSTRUED TO AUTHORIZE AN  
22 ATHLETIC TRAINER TO TREAT A DISEASE THAT IS NOT RELATED TO A  
23 PERSON'S PARTICIPATION IN SPORTS, GAMES, RECREATION, OR EXERCISE,  
24 BUT THE ATHLETIC TRAINER SHALL TAKE SUCH DISEASE INTO ACCOUNT IN  
25 PROVIDING ATHLETIC TRAINING SERVICES AND SHALL CONSULT WITH A  
26 PHYSICIAN AS APPROPRIATE REGARDING SUCH DISEASE."  
27  
28 Page 5, strike lines 1 through 22.  
29  
30 Page 6, line 20, after "SURGERY," insert "PHYSICAL THERAPY, AS DEFINED  
31 IN ARTICLE 41 OF THIS TITLE, CHIROPRACTIC, AS DEFINED IN ARTICLE 33 OF  
32 THIS TITLE,".  
33  
34 Page 7, strike lines 6 through 15 and substitute the following:  
35  
36 "TRAINING EDUCATION THAT IS ACCREDITED BY A NATIONALLY  
37 RECOGNIZED ACCREDITING AGENCY";  
38  
39 Page 10, strike lines 1 and 2;  
40  
41 line 3, strike "SUCH PARTICIPATION." and substitute "THAN TWELVE  
42 WEEKS' DURATION."  
43  
44 Page 11, after line 25, insert the following:  
45  
46       "(d) FAILS TO REFER A PERSON TO AN APPROPRIATE LICENSED  
47 HEALTH CARE PROVIDER WHEN THE SERVICES REQUIRED ARE BEYOND THE  
48 LEVEL OF COMPETENCE OF THE ATHLETIC TRAINER";  
49  
50 Reletter succeeding paragraphs accordingly.  
51  
52  
53  
54 **HB06-1175** be amended as follows, and as so amended, be referred to  
55 the Committee of the Whole with favorable  
56 recommendation:

1 Amend printed bill, page 4, after line 5, insert the following:

2

3           "(1) "AIRPORT SMOKING CONCESSION" MEANS A BAR OR  
4 RESTAURANT, OR BOTH, IN A PUBLIC AIRPORT WITH REGULARLY  
5 SCHEDULED DOMESTIC AND INTERNATIONAL COMMERCIAL PASSENGER  
6 FLIGHTS, IN WHICH BAR OR RESTAURANT SMOKING IS ALLOWED IN A FULLY  
7 ENCLOSED AND INDEPENDENTLY VENTILATED AREA BY THE TERMS OF THE  
8 CONCESSION."

9

10 Renumber succeeding subsections accordingly.

11

12 Page 5, line 5, strike "(4)," and substitute "(5),".

13

14 Page 9, line 14, strike "FACILITIES" and substitute "FACILITIES, PUBLICLY  
15 OWNED HOUSING FACILITIES,".

16

17 Page 10, strike lines 20 through 22 and substitute the following:

18

19           "(f) AN AIRPORT SMOKING CONCESSION;";

20

21 line 23, strike "BUSINESS." and substitute "BUSINESS;";

22

23 after line 23, insert the following:

24

25           "(h) A PLACE OF EMPLOYMENT THAT IS NOT OPEN TO THE PUBLIC  
26 AND THAT IS UNDER THE CONTROL OF AN EMPLOYER THAT EMPLOYS THREE  
27 OR FEWER EMPLOYEES; OR

28

29           "(I) A GREYHOUND TRACK, AS DEFINED IN SECTION 12-60-102 (10),  
30 C.R.S.".

31

32 Page 12, line 1, strike "**penalty.**" and substitute "**penalty - disposition of  
33 fines and surcharges.**";

34

35 after line 14, insert the following:

36

37           "(4) ALL JUDGES, CLERKS OF A COURT OF RECORD, OR OTHER  
38 OFFICERS IMPOSING OR RECEIVING FINES COLLECTED PURSUANT TO OR AS  
39 A RESULT OF A CONVICTION OF ANY PERSONS FOR A VIOLATION OF ANY  
40 PROVISION OF THIS PART 2 SHALL TRANSMIT ALL SUCH MONEYS SO  
41 COLLECTED IN THE FOLLOWING MANNER:

42

43           (a) SEVENTY-FIVE PERCENT OF ANY SUCH FINE FOR A VIOLATION  
44 OCCURRING WITHIN THE CORPORATE LIMITS OF A CITY, TOWN, OR CITY AND  
45 COUNTY SHALL BE TRANSMITTED TO THE TREASURER OR CHIEF FINANCIAL  
46 OFFICER OF SAID CITY, TOWN, OR CITY AND COUNTY, AND THE REMAINING  
47 TWENTY-FIVE PERCENT SHALL BE TRANSMITTED TO THE STATE TREASURER,  
48 WHO SHALL CREDIT THE SAME TO THE GENERAL FUND.

49

50           (b) SEVENTY-FIVE PERCENT OF ANY FINE FOR A VIOLATION  
51 OCCURRING OUTSIDE THE CORPORATE LIMITS OF A CITY OR TOWN SHALL  
52 BE TRANSMITTED TO THE TREASURER OF THE COUNTY IN WHICH THE CITY  
53 OR TOWN IS LOCATED, AND THE REMAINING TWENTY-FIVE PERCENT SHALL  
54 BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME  
55 TO THE GENERAL FUND.";

56

1 strike lines 21 through 27.

2

3 Page 13, strike lines 1 through 22.

4

5 Renumber succeeding sections accordingly.

6

7

8

9

10 **JUDICIARY**

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

13

14 **HB06-1011** be amended as follows, and as so amended, be referred to  
15 the Committee on Appropriations with favorable  
16 recommendation:

17

18 Amend printed bill, page 3, strike lines 18 through 26 and substitute the  
19 following:

20

21 **"18-3-306. Internet luring of a child.** (1) A PERSON COMMITS  
22 INTERNET LURING OF A CHILD IF THE PERSON KNOWINGLY COMMUNICATES  
23 A STATEMENT OVER A COMPUTER OR COMPUTER NETWORK TO A CHILD  
24 UNDER FIFTEEN YEARS OF AGE, DESCRIBING EXPLICIT SEXUAL CONDUCT AS  
25 DEFINED IN SECTION 18-6-403 (2) (e), AND, IN CONNECTION WITH THE  
26 COMMUNICATION, MAKES A STATEMENT PERSUADING OR INVITING THE  
27 CHILD TO MEET THE PERSON FOR ANY PURPOSE, AND THE PERSON IS MORE  
28 THAN FOUR YEARS OLDER THAN THE CHILD."

29

30 Page 4, after line 13, insert the following:

31

32 "(5) FOR PURPOSES OF THIS SECTION, "IN CONNECTION WITH"  
33 MEANS COMMUNICATIONS THAT FURTHER, ADVANCE, PROMOTE, OR HAVE  
34 A CONTINUITY OF PURPOSE, AND MAY OCCUR BEFORE, DURING, OR AFTER  
35 THE INVITATION TO MEET."

36

37

38

39

**PRINTING REPORT**

40

41 The Chief Clerk reports the following bills have been correctly printed:  
42 **HB06-1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245,**  
43 **1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253.**

44

45

46

47

48

**SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

49

50 The Speaker has signed: **HJR06-1003, 1004, 1005, 1007, 1008.**

51

52

53

54

House in recess. House reconvened.

55

56

**MESSAGE FROM THE SENATE**

1  
2  
3 The Senate has passed on Third Reading and transmitted to the Revisor  
4 of Statutes:  
5  
6 SB06- 079, amended as printed in Senate Journal, January 31, 2006,  
7 page 97.  
8 SB06- 012, amended as printed in Senate Journal, January 31, 2006,  
9 page 97.  
10 SB06-016, amended as printed in Senate Journal, January 31, 2006,  
11 page 98.  
12 SB06-025, amended as printed in Senate Journal, January 31, 2006,  
13 page 98.

---

**MESSAGE FROM THE REVISOR**

14  
15  
16  
17  
18  
19 We herewith transmit:  
20 Without comment, as amended, SB06-079, 012, 016, and 025.

---

**INTRODUCTION OF BILLS**  
**First Reading**

21  
22  
23  
24  
25  
26  
27 The following bills were read by title and referred to the committee  
28 indicated:  
29  
30 **HB06-1254** by Representative(s) Cerbo; also Senator(s) Veiga--  
31 Concerning co-ownership of real property.  
32 Committee on Local Government  
33  
34 **HB06-1255** by Representative(s) Judd--Concerning compliance with  
35 the federal "Social Security Act" with respect to juveniles.  
36 Committee on Health and Human Services  
37  
38 **HB06-1256** by Representative(s) Buescher, Plant, Hall; also Senator(s)  
39 Keller, Tapia, Owen--Concerning modifications to certain  
40 provisions of total compensation for employees in the state  
41 personnel system.  
42 Committee on Business Affairs and Labor  
43  
44 **HB06-1257** by Representative(s) Green; also Senator(s) Keller--  
45 Concerning noise mitigation measures along state  
46 highways.  
47 Committee on Transportation & Energy  
48  
49 **HB06-1258** by Representative(s) McGihon; also Senator(s) Grossman--  
50 -Concerning the enactment of the "Colorado Uniform  
51 Trust Code".  
52 Committee on Judiciary  
53  
54 **HB06-1259** by Representative(s) Soper--Concerning authorization for  
55 county governments to regulate building contractors.  
56 Committee on Local Government

- 1 **HB06-1260** by Representative(s) Jahn; also Senator(s) Veiga--  
2 Concerning student loan programs in the department of  
3 higher education.  
4 Committee on Education  
5  
6
- 7 **HB06-1261** by Representative(s) McCluskey--Concerning  
8 recodification of statutes for the Colorado state university  
9 system.  
10 Committee on Education  
11
- 12 **HB06-1262** by Representative(s) Welker, Balmer--Concerning a  
13 prohibition on the acceptance of monetary gifts by  
14 members of the general assembly during the regular  
15 legislative session.  
16 Committee on State, Veterans, & Military Affairs  
17  
18
- 19 **HB06-1263** by Representative(s) Welker, Schultheis, King--  
20 Concerning requiring school districts to report to the  
21 department of education lawsuits that involve the "Teacher  
22 and School Administrator Protection Act".  
23 Committee on Education  
24
- 25 **HB06-1264** by Representative(s) Hefley; also Senator(s) Grossman--  
26 Concerning the enactment of consistent provisions among  
27 the occupations regulated by the division of registrations  
28 in the department of regulatory agencies.  
29 Committee on Business Affairs and Labor  
30  
31
- 32 **HB06-1265** by Representative(s) Frangas; also Senator(s) Sandoval--  
33 Concerning additional requirements pertaining to lead-  
34 based paint abatement.  
35 Committee on Health and Human Services  
36
- 37 **HB06-1266** by Representative(s) Larson, Frangas; also Senator(s)  
38 Veiga--Concerning the recovery of public assistance  
39 payments for which a judgment has been issued.  
40 Committee on Health and Human Services  
41  
42
- 43 **HB06-1267** by Representative(s) Riesberg--Concerning child support.  
44 Committee on Judiciary  
45
- 46 **HB06-1268** by Representative(s) Riesberg--Concerning the right of  
47 cemeteries to reclaim abandoned interment sites.  
48 Committee on Local Government  
49  
50
- 51 **HB06-1269** by Representative(s) Cloer, Butcher, Benefield, Carroll T.,  
52 Gardner, Hefley, Larson, Lundberg, Merrifield, Riesberg,  
53 Todd, White; also Senator(s) Tochtrop--Concerning  
54 creation of a nursing faculty fellowship program.  
55 Committee on Health and Human Services  
56

- 1 **HB06-1270** by Representative(s) Merrifield, Paccione, Benefield,  
2 Larson, Massey, McKinley, Pommer, Solano, Todd; also  
3 Senator(s) Gordon--Concerning the authority of public  
4 school personnel to make determinations of eligibility for  
5 certain public medical benefits.  
6 Committee on Education  
7
- 8 **HB06-1271** by Representative(s) Jahn--Concerning types of  
9 specialized foster care.  
10 Committee on Health and Human Services  
11
- 12 **HB06-1272** by Representative(s) Hoppe; also Senator(s) Veiga--  
13 Concerning public notice of changes in utility rates.  
14 Committee on Transportation & Energy  
15
- 16 **HB06-1273** by Representative(s) Liston--Concerning the right of final  
17 disposition of the remains of a decedent.  
18 Committee on Judiciary  
19
- 20 **HB06-1274** by Representative(s) Hodge; also Senator(s) Entz--  
21 Concerning the pesticide applicators' act, and, in  
22 connection therewith, regulating private applicators.  
23 Committee on Agriculture, Livestock, & Natural Resources  
24
- 25 **HB06-1275** by Representative(s) McKinley, Butcher, Gallegos,  
26 Gardner; also Senator(s) Brophy--Concerning the  
27 determination of the actual value for property tax purposes  
28 of property used to generate electricity from wind.  
29 Committee on Finance  
30
- 31 **HB06-1276** by Representative(s) King, Carroll T., Massey, Penry,  
32 Rose, White; also Senator(s) Hagedorn--Concerning  
33 public schools located in metropolitan districts.  
34 Committee on Education  
35
- 36 **HB06-1277** by Representative(s) Clapp--Concerning the treatment of  
37 persons with a mental illness.  
38 Committee on Health and Human Services  
39
- 40 **HB06-1278** by Representative(s) Weissmann; also Senator(s) Keller--  
41 Concerning the public reporting of hospital statistics by  
42 means of a hospital report card.  
43 Committee on Health and Human Services  
44
- 45 **HB06-1279** by Representative(s) Lundberg, Cadman, Cloer, Crane,  
46 Hall, Knoedler, May M., Welker--Concerning the  
47 disposition of state revenues from the severance tax  
48 imposed on oil shale, and, in connection therewith,  
49 requiring revenues from the tax in excess of a specified  
50 amount to be used to fund state transportation projects and  
51 provide property tax relief.  
52 Committee on Finance  
53  
54  
55

- 1 **HB06-1280** by Representative(s) McGihon, Benefield; also Senator(s)  
2 Grossman--Concerning the regulation of debt-management  
3 services, and, in connection therewith, enacting the  
4 "Uniform Debt-Management Services Act".  
5 Committee on Business Affairs and Labor  
6  
7 **HB06-1281** by Representative(s) Pommer; also Senator(s) Gordon--  
8 Concerning the establishment of a program to demonstrate  
9 the use of breakthrough advanced coal technology to  
10 promote low-emitting coal-fueled electricity generation,  
11 and, in connection therewith, making an appropriation.  
12 Committee on Transportation & Energy  
13 Committee on Appropriations  
14  
15 **HB06-1282** by Representative(s) Gardner, Hoppe, King, Liston,  
16 Lundberg, Penry, Schultheis, White--Concerning a  
17 clarification that economic damages in tort cases are  
18 limited to out-of-pocket losses and expenses.  
19 Committee on Judiciary  
20

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## INTRODUCTION OF RESOLUTION

23  
24  
25 The following resolution was read by title and laid over one day under the  
26 rules:

- 27  
28 **HJR06-1011** by Representative(s) Todd, Butcher, Borodkin, Carroll T.,  
29 Gallegos, Hodge, Larson, Massey, McCluskey, Merrifield,  
30 Solano, Soper; also Senator(s) Williams--Concerning the  
31 designation of February 2006 as "American Heart Month",  
32 and, in connection therewith, declaring February 3 to be  
33 "Go Red For Women Day".  
34

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## LAY OVER OF CALENDAR ITEMS

35  
36  
37  
38 On motion of Representative Garcia, the following items on the Calendar  
39 were laid over until February 2, retaining place on Calendar:

- 40  
41 Consideration of General Orders--**HB06-1042, 1094, 1074 amended,**  
42 **1112, 1136, 1137.**  
43 Consideration of Resolutions--**HJR06-1009, SJR06-005, HJR06-1010,**  
44 **SJR06-002.**  
45

46  
47 On motion of Representative Coleman, the House adjourned until  
48 9:00 a.m., February 2, 2006.  
49

50  
51 Approved:  
52 ANDREW ROMANOFF,  
53 Speaker

53 Attest:  
54 MARILYN EDDINS,  
55 Chief Clerk