

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

Third Legislative Day

Friday, January 13, 2006

1 Prayer by Dr. C. Gene Selander, Crossroads, Broomfield.

2

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

4

5 Pledge of Allegiance led by Representative Cadman.

6

7 The roll was called with the following result:

8

9 Present--62.

10 Excused--Representatives Coleman, Ragsdale, Stafford--3.

11 Present after roll call--Representatives Coleman, Ragsdale,
12 Stafford.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Gardner, the reading of the journal of
18 January 12, 2006, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22

PRINTING REPORT

23

24 The Chief Clerk reports the following bills have been correctly printed:
25 **HB06-1059, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074,**
26 **1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085,**
27 **1086.**

28

29

30

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

31

32 **HJR06-1003** by Representative(s) Madden; also Senator(s) Gordon--
33 Concerning changes to the joint rules.

34

35 (Printed and placed in member's files.)

36

37 On motion of Representative Madden, the rules were suspended and the
38 resolution given immediate consideration.

39

40

41

House in recess. House reconvened.

42

43

1 On motion of Representative Madden, HJR06-1003 was **adopted** by the
2 following roll call vote:

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

22 Co-sponsors added: Representatives Benefield, Cerbo, Coleman, and Vigil.

23
24 **HR06-1004** by Representative(s) Madden--Concerning changes to the
25 rules of the House of Representatives.

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

28
29 On motion of Representative Madden, the rules were suspended and the
30 resolution given immediate consideration.

31
32 Representative Madden moved that the resolution be adopted.

33
34 Amendment No. 1, moved by Representative McCluskey.

35
36 Amend printed resolution, page 3, strike lines 12 through 19.

37
38 The amendment was declared **lost** by the following roll call vote:

	YES	23	NO	42	EXCUSED	00	ABSENT	00
40 Balmer	Y		Decker	Y	Larson	Y	Pommer	N
41 Benefield	N		Frangas	N	Lindstrom	N	Ragsdale	N
42 Berens	Y		Gallegos	N	Liston	Y	Riesberg	N
43 Borodkin	N		Garcia	N	Lundberg	Y	Rose	Y
44 Boyd	N		Gardner	Y	Madden	N	Schultheis	Y
45 Buescher	N		Green	N	Marshall	N	Solano	N
46 Butcher	N		Hall	Y	Massey	Y	Soper	N
47 Cadman	Y		Harvey	Y	May	N	Stafford	Y
48 Carroll M	N		Hefley	Y	McCluskey	Y	Stengel	N
49 Carroll T	N		Hodge	N	McFadyen	N	Sullivan	Y
50 Cerbo	N		Hoppe	Y	McGihon	N	Todd	N
51 Clapp	Y		Jahn	N	McKinley	N	Vigil	N
52 Cloer	Y		Judd	N	Merrifield	N	Weissmann	N
53 Coleman	N		Kerr	Y	Paccione	N	Welker	Y
54 Crane	Y		King	N	Penry	N	White	N
55 Curry	N		Knoedler	N	Plant	N	Witwer	N
56							Speaker	N

1 Amendment No. 2, moved by Representative Stengel.

2

3 Amend printed resolution, page 2, strike lines 25 through 43.

4

5 Page 3, strike lines 1 through 11.

6

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

8

9

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

27

28 Amendment No. 3, moved by Representative Stafford.

29

30 Amend printed resolution, page 3, strike lines 31 through 40.

31

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

33

34

	YES	16	NO	49	EXCUSED	00	ABSENT	00
35	Balmer	Y	Decker	Y	Larson	N	Pommer	N
36	Benefield	N	Frangas	N	Lindstrom	N	Ragsdale	N
37	Berens	Y	Gallegos	N	Liston	Y	Riesberg	N
38	Borodkin	N	Garcia	N	Lundberg	Y	Rose	Y
39	Boyd	N	Gardner	N	Madden	N	Schultheis	Y
40	Buescher	N	Green	N	Marshall	N	Solano	N
41	Butcher	N	Hall	N	Massey	N	Soper	N
42	Cadman	Y	Harvey	Y	May	N	Stafford	Y
43	Carroll M	N	Hefley	Y	McCluskey	Y	Stengel	N
44	Carroll T	N	Hodge	N	McFadyen	N	Sullivan	N
45	Cerbo	N	Hoppe	Y	McGihon	N	Todd	N
46	Clapp	Y	Jahn	N	McKinley	N	Vigil	N
47	Cloer	N	Judd	N	Merrifield	N	Weissmann	N
48	Coleman	N	Kerr	N	Paccione	N	Welker	Y
49	Crane	N	King	N	Penry	N	White	N
50	Curry	N	Knoedler	Y	Plant	N	Witwer	N
51							Speaker	N

52

53 On motion of Representative Madden, the resolution was **adopted** by the
54 following roll call vote:

55

	YES	43	NO	22	EXCUSED	00	ABSENT	00
1								
2	Balmer	N	Decker	N	Larson	N	Pommer	Y
3	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
4	Berens	Y	Gallegos	Y	Liston	N	Riesberg	Y
5	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	N
6	Boyd	Y	Gardner	N	Madden	Y	Schultheis	N
7	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
8	Butcher	Y	Hall	N	Massey	Y	Soper	Y
9	Cadman	N	Harvey	N	May	Y	Stafford	N
10	Carroll M	Y	Hefley	N	McCluskey	N	Stengel	Y
11	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
12	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
13	Clapp	N	Jahn	Y	McKinley	Y	Vigil	Y
14	Cloer	N	Judd	Y	Merrifield	Y	Weissmann	Y
15	Coleman	Y	Kerr	N	Paccione	Y	Welker	N
16	Crane	N	King	N	Penry	N	White	Y
17	Curry	Y	Knoedler	N	Plant	Y	Witwer	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Cerbo, Coleman, Frangas, Marshall,
20 Merrifield, and Vigil.

21
22
23
24 **INTRODUCTION OF BILLS**
25 **First Reading**

26
27 The following bills were read by title and referred to the committees
28 indicated:

29
30 **HB06-1087** by Representative(s) Larson, Rose; also Senator(s) Isgar--
31 Concerning the classification of Montezuma county for
32 purposes of fixing the salaries of county officers.
33 Committee on Local Government

34
35 **HB06-1088** by Representative(s) Marshall; also Senator(s) Sandoval--
36 Concerning the modification of statutes of limitations for
37 commencing court proceedings involving unlawful sexual
38 behavior toward children.
39 Committee on Judiciary

40
41 **HB06-1089** by Representative(s) Harvey--Concerning restrictions on
42 sex offenders related to locations likely to contain
43 children.
44 Committee on Judiciary

45
46 **HB06-1090** by Representative(s) Green--Concerning unlawful sexual
47 behavior.
48 Committee on Judiciary

49
50 **HB06-1091** by Representative(s) McFadyen, Larson, Hodge; also
51 Senator(s) Takis, Brophy, Kester--Concerning the
52 inclusion of commercial vehicles in the enterprise zone
53 income tax credit for investments in certain property.
54 Committee on Finance

55
56

- 1 **HB06-1092** by Representative(s) Schultheis, Harvey, Lundberg, Penry,
2 Welker; also Senator(s) Jones, Brophy, Johnson--
3 Concerning increasing the penalty for sexual exploitation
4 of a child by possession of sexually exploitative material,
5 and making an appropriation therefor.
6 Committee on Judiciary
7 Committee on Appropriations
8
- 9 **HB06-1093** by Representative(s) White--Concerning Colorado
10 northwestern community college.
11 Committee on Education
12
- 13 **HB06-1094** by Representative(s) White--Concerning the notice of
14 valuation of taxable personal property on oil and gas
15 leaseholds and lands.
16 Committee on Finance
17
- 18 **HB06-1095** by Representative(s) Weissmann, Garcia, Marshall; also
19 Senator(s) Hanna, Groff, Takis--Concerning a preference
20 for the purchase of environmentally preferable products by
21 governmental entities.
22 Committee on State, Veterans, & Military Affairs
23
- 24 **HB06-1096** by Representative(s) Hefley--Concerning a limitation on
25 the exercise of the power of eminent domain by certain
26 special districts.
27 Committee on State, Veterans, & Military Affairs
28
- 29 **HB06-1097** by Representative(s) Carroll M.; also Senator(s) Tochtrop--
30 Concerning the ability of an injured worker covered
31 under the "Workers' Compensation Act of Colorado" to
32 obtain a one-time change in treating physician under
33 certain circumstances.
34 Committee on Business Affairs and Labor
35
- 36 **HB06-1098** by Representative(s) Cloer; also Senator(s) Keller--
37 Concerning the inclusion of mental health in-service
38 programs in professional development options for public
39 school educators, and, in connection therewith, allowing
40 public school educators to receive credit for suicide
41 prevention education programs.
42 Committee on Education
43
- 44 **HB06-1099** by Representative(s) Gardner, Schultheis, Welker; also
45 Senator(s) Brophy--Concerning a limitation on the
46 exercise of the power of eminent domain by public
47 entities.
48 Committee on State, Veterans, & Military Affairs
49
- 50 **HB06-1100** by Representative(s) Frangas; also Senator(s) Sandoval--
51 Concerning lowering the cost of prescription drugs.
52 Committee on Health and Human Services
53
- 54 **HB06-1101** by Representative(s) Crane--Concerning illegal aliens.
55 Committee on State, Veterans, & Military Affairs
56

- 1 **HB06-1102** by Representative(s) Carroll T.; also Senator(s) Grossman-
2 -Concerning changes to strengthen the state criminal
3 procedural law.
4 Committee on Judiciary
5
- 6 **HB06-1103** by Representative(s) Green, Benefield, Carroll M.,
7 Coleman, Frangas, Lindstrom, McGihon, Merrifield,
8 Todd--Concerning forfeiture provisions in agreements
9 affecting persons in facilities providing residential care.
10 Committee on Health and Human Services
11
- 12 **HB06-1104** by Representative(s) Ragsdale; also Senator(s) Entz--
13 Concerning a requirement that an applicant for an
14 identification card contain the applicant's fingerprint.
15 Committee on State, Veterans, & Military Affairs
16
- 17 **HB06-1105** by Representative(s) McCluskey--Concerning the pilot
18 program for the director of research of the legislative
19 council to use a dynamic model to analyze the economic
20 impact of bills that make a tax policy change.
21 Committee on Finance
22
- 23 **HB06-1106** by Representative(s) Paccione--Concerning a prohibition
24 against a coverage exclusion in a sickness and accident
25 insurance policy for injuries sustained while under the
26 influence of a controlled substance.
27 Committee on Business Affairs and Labor
28
- 29 **HB06-1107** by Representative(s) Benefield, Cloer, Green, Larson,
30 Lindstrom, McFadyen, Solano, Sullivan, Vigil; also
31 Senator(s) Shaffer--Concerning the requirements
32 pertaining to the issuance of instruction permits to minors.
33 Committee on Transportation & Energy
34
- 35 **HB06-1108** by Representative(s) Benefield, Borodkin, Butcher,
36 Carroll M., Green, Marshall, McGihon, Merrifield,
37 Solano, Todd, Vigil, Witwer, Larson, Massey; also
38 Senator(s) Shaffer, Williams, Windels--Concerning a
39 requirement that courts order minors under eighteen years
40 of age who are convicted of traffic violations other than
41 traffic infractions to attend a driver improvement school.
42 Committee on Transportation & Energy
43
- 44 **HB06-1109** by Representative(s) King, Massey; also Senator(s)
45 Grossman--Concerning measuring public school
46 effectiveness.
47 Committee on Education
48
- 49 **HB06-1110** by Representative(s) Clapp--Concerning court procedures
50 in cases involving the allocation of parental
51 responsibilities.
52 Committee on Judiciary
53
54
55

1 **HB06-1111** by Representative(s) Clapp, Jahn--Concerning the award
2 of attorney fees against a party for engaging in
3 unjustifiable conduct in an action brought under the
4 "Uniform Dissolution of Marriage Act".
5 Committee on Judiciary
6

7 **HB06-1112** by Representative(s) Marshall; also Senator(s) Veiga--
8 Concerning changes to conform Colorado juvenile law to
9 federal law.
10 Committee on Judiciary
11

12 **HB06-1113** by Representative(s) McGihon, Larson, Benefield, Boyd,
13 Carroll M., Carroll T., Cerbo, Coleman, Curry, Frangas,
14 Green, Hodge, Lindstrom, Madden, Marshall, Merrifield,
15 Pommer, Romanoff, Todd, Vigil, Weissmann; also
16 Senator(s) Grossman, Fitz-Gerald, Tochtrop, Williams,
17 Windels--Concerning increased authority to protect air
18 quality.
19 Committee on Health and Human Services
20

21
22
23 **INTRODUCTION OF RESOLUTION**
24

25 The following resolution was read by title and referred to the committee
26 indicated:
27

28 **HJR06-1004** by Representative(s) King; also Senator(s) Grossman--
29 Concerning support for an application to participate in the
30 federal pilot program for use of a growth model to
31 measure students' academic achievement.
32 Committee on Education
33

34
35
36 On motion of Representative Gardner, the House adjourned until
37 1:00 p.m., January 16, 2006.
38

39
40 Approved:
41 ANDREW ROMANOFF,
42 Speaker

42 Attest:
43 MARILYN EDDINS,
44 Chief Clerk