

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

Thirty-seventh Legislative Day

Thursday, February 16, 2006

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

3 The Speaker called the House to order at 9:15 a.m.

4

5 Pledge of Allegiance led by Representative Hefley.

6

7 The roll was called with the following result:

8

9 Present--64.

10 Excused--Representative Carroll M.--1.

11 Present after roll call--Representative Carroll M.

12

13 The Speaker declared a quorum present.

14

15

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

19

20

MESSAGE FROM THE SENATE

21

22 The Senate has adopted and transmits herewith: SJR06-009.

23

24

25

26

27

INTRODUCTION AND CONSIDERATION OF RESOLUTION

28

29 The following resolution was given immediate consideration:

30

31 **SJR06-009** by Senator(s) Williams; also Representative(s) Todd--
32 Concerning the Colorado YMCA Youth in Government
33 program.

34

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

37

38 On motion of Representative Todd, the resolution was **adopted by viva**
39 **voce** vote.

40

41 Co-sponsors added: Roll call of the House.

42

43

44

45

THIRD READING OF BILLS--FINAL PASSAGE

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

HB06-1152 by Representative(s) Cadman--Concerning a requirement that the results of absentee and early voting be reported by precinct.

Laid over until February 17, retaining place on Calendar.

HB06-1088 by Representative(s) Marshall; also Senator(s) Sandoval--Concerning the modification of statutes of limitations for commencing court proceedings involving unlawful sexual behavior toward children.

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

YES	65	NO	00	EXCUSED	00	ABSENT	00
Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
Buescher	Y	Green	Y	Marshall	Y	Solano	Y
Butcher	Y	Hall	Y	Massey	Y	Soper	Y
Cadman	Y	Harvey	Y	May	Y	Stafford	Y
Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
Crane	Y	King	Y	Penry	Y	White	Y
Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
						Speaker	Y

Co-sponsors added: Representatives Berens, Borodkin, Boyd, Carroll M, Coleman, Hodge, Madden, McGihon, Stafford, Todd, Vigil, and Speaker.

HB06-1053 by Representative(s) Pommer--Concerning local government master plans for land use management.

Laid over until February 17, retaining place on Calendar.

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

GENERAL ORDERS--SECOND READING OF BILLS

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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.)

HB06-1084 by Representative(s) Liston; also Senator(s) Kester--
Concerning illegal speeding activities involving motor vehicles.

Amendment No. 1, by Representative Liston.

Amend printed bill, page 5, line 10, strike "A" and substitute "EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (9) OF THIS SECTION, A";

line 12, strike "MAKE A GOOD FAITH EFFORT" and substitute "ATTEMPT".

Page 6, line 6, after "OFFICER", insert "WHO LOCATES OR ATTEMPTS TO LOCATE A MOTOR VEHICLE, OR";

strike lines 10 and 11 and substitute the following:

"WILLFUL AND WANTON CONDUCT."

Page 7, after line 20, insert the following:

"(9) (a) A LAW ENFORCEMENT AGENCY THAT IS ORDERED TO PLACE AN IMMOBILIZATION DEVICE ON A MOTOR VEHICLE PURSUANT TO SUBSECTION (5) OF THIS SECTION SHALL INFORM THE COURT AT SENTENCING IF IT IS UNABLE TO COMPLY WITH THE COURT'S ORDER EITHER BECAUSE THE LAW ENFORCEMENT AGENCY IS NOT YET EQUIPPED WITH AN IMMOBILIZATION DEVICE OR BECAUSE IT DOES NOT HAVE A SUFFICIENT NUMBER OF IMMOBILIZATION DEVICES. THE COURT, UPON BEING SO INFORMED, SHALL, IN LIEU OF ORDERING IMMOBILIZATION, ORDER THE LAW ENFORCEMENT AGENCY TO IMPOUND THE MOTOR VEHICLE FOR THE SAME TIME PERIOD THAT THE COURT INITIALLY ORDERED THE MOTOR VEHICLE TO BE IMMOBILIZED.

(b) IF A MOTOR VEHICLE IS ORDERED TO BE IMPOUNDED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (9), THE PROVISIONS OF SUBSECTIONS (6) TO (8) OF THIS SECTION SHALL NOT APPLY."

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

HB06-1204 by Representative(s) McKinley, Gallegos, Hodge; also Senator(s) Taylor--Concerning the regulation of persons working in coal mines, and, in connection therewith, continuing the coal mine board of examiners.

1 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
2 dated February 6, 2006, and placed in member's bill file; Report also
3 printed in House Journal, February 7, pages 236-238.

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

7
8 **SB06-034** by Senator(s) Entz, Fitz-Gerald, Grossman, Isgar, Taylor;
9 also Representative(s) Hodge, Butcher, Curry, Hoppe,
10 White--Concerning the appointment to the Colorado water
11 resources and power development authority board of
12 directors of a director who is experienced in water quality
13 matters.

14
15 Ordered revised and placed on the Calendar for Third Reading and Final
16 Passage.

17
18 **HB06-1030** by Representative(s) Coleman, Carroll M., Cerbo; also
19 Senator(s) Veiga--Concerning the requirement that an
20 insurer make certain disclosures to consumers regarding
21 the content of automobile insurance policies.

22
23 Amendment No. 1, Business Affairs and Labor Report, dated February
24 6, 2006, and placed in member's bill file; Report also printed in House
25 Journal, February 7, pages 238-239.

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

29
30 **HB06-1055** by Representative(s) Coleman; also Senator(s) Shaffer--
31 Concerning a modification to the exception to the
32 limitation on medical impairment benefits for workers'
33 compensation claims based on mental impairment.

34
35 Amendment No. 1, Business Affairs and Labor Report, dated February
36 6, 2006, and placed in member's bill file; Report also printed in House
37 Journal, February 7, page 240.

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

41
42 **HB06-1115** by Representative(s) May M., Cerbo, Cloer; also
43 Senator(s) Groff, Brophy--Concerning required
44 information on collision damage waivers in advertising for
45 rental motor vehicles, and, in connection therewith,
46 requiring lessors of rental motor vehicles to disclose
47 collision damage waiver rates in advertising that includes
48 rental rates.

49
50 Ordered engrossed and placed on the Calendar for Third Reading and
51 Final Passage.

52
53 **HB06-1119** by Representative(s) Marshall, Harvey, Madden,
54 Paccione; also Senator(s) Keller--Concerning security
55 breaches regarding personal identifying information.

56

1 Amendment No. 1, Business Affairs and Labor Report, dated February
2 6, 2006, and placed in member's bill file; Report also printed in House
3 Journal, February 7, pages 240-242.

4
5 Amendment No. 2, by Representative Marshall.

6
7 Amend the Business Affairs and Labor Committee Report, dated
8 February 6, 2006, page 1, after line 13, insert the following:

9
10 "line 22, strike "ENCRYPTED:" and substitute "ENCRYPTED, REDACTED, OR
11 SECURED BY ANY OTHER METHOD RENDERING THE NAME OR THE ELEMENT
12 UNREADABLE OR UNUSABLE:";"

13
14 Page 2, strike lines 31 and 32 and substitute the following:

15
16 "AS DEFINED BY 15 U.S.C. SEC. 1618a (p), OF THE ANTICIPATED DATE OF
17 THE NOTIFICATION TO THE RESIDENTS AND THE APPROXIMATE NUMBER OF
18 RESIDENTS WHO ARE TO BE NOTIFIED. NOTHING IN THIS PARAGRAPH (d)
19 SHALL".

20
21 Amendment No. 3, by Representative Marshall.

22
23 Amend the Business Affairs and Labor Committee Report, dated
24 February 6, 2006, page 1, line 3, strike "REASONABLY".

25
26 Page 2, line 3, strike "REASONABLE AND";

27
28 line 7, strike "REASONABLY";

29
30 line 18, strike "REASONABLY".

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

34
35 **HB06-1144** by Representative(s) May M., Schultheis, Harvey; also
36 Senator(s) Veiga--Concerning the enforcement of liquor
37 laws regarding sales to minors, and, in connection
38 therewith, creating an affirmative defense for retail alcohol
39 beverage licensees and limiting peace officers' ability to
40 conduct random enforcement operations at licensed
41 premises.

42
43 Amendment No. 1, Business Affairs and Labor Report, dated February
44 6, 2006, and placed in member's bill file; Report also printed in House
45 Journal, February 7, page 242.

46
47 Amendment No. 2, by Representative May.

48
49 Amend the Business Affairs and Labor Committee Report, dated
50 February 6, 2006, page 1, line 20, after "(9)", insert "(a)".

51
52 Page 2, after line 11, insert the following:

53
54 "(b) (I) A STATE OR LOCAL LICENSING AUTHORITY MAY, IN ITS SOLE
55 DISCRETION, REQUIRE THE LICENSEE TO PAY A FINE IF, IN ITS SOLE
56 DISCRETION, THE STATE OR LOCAL LICENSING AUTHORITY IS SATISFIED

1 THAT THE PAYMENT OF THE FINE WILL ACHIEVE THE DESIRED DISCIPLINARY
2 PURPOSES.

3
4 (II) THE FINE IMPOSED PURSUANT TO SUBPARAGRAPH (I) OF THIS
5 PARAGRAPH (b) SHALL BE EQUIVALENT TO TWENTY PERCENT OF THE
6 LICENSEE'S ESTIMATED GROSS REVENUES FROM SALES OF ALCOHOL
7 BEVERAGES DURING A PERIOD NOT TO EXCEED FOURTEEN DAYS, AS
8 DETERMINED BY THE STATE OR LOCAL LICENSING AUTHORITY; EXCEPT
9 THAT THE FINE SHALL BE NO LESS THAN TWO HUNDRED DOLLARS NOR
10 MORE THAN FIVE THOUSAND DOLLARS.

11
12 (III) PAYMENT OF ANY FINE PURSUANT TO THIS PARAGRAPH (b)
13 SHALL BE IN THE FORM OF CASH OR CERTIFIED CHECK OR CASHIER'S CHECK
14 MADE PAYABLE TO THE STATE OR LOCAL LICENSING AUTHORITY,
15 WHICHEVER IS APPROPRIATE."

16
17 Amendment No. 3, by Representative May.

18
19 Amend the Business Affairs and Labor Committee Report, dated
20 February 6, 2006, page 2, after line 11, insert the following:

21
22 "SECTION 2. Effective date - applicability. This act shall take
23 effect July 1, 2006, and shall apply to offenses committed on or after said
24 date."

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 HB06-1174 by Representative(s) Soper, Carroll M., Cerbo, Larson,
32 Sullivan; also Senator(s) Shaffer--Concerning workers'
33 compensation coverage for workers in the construction
34 industry.

35
36 Amendment No. 1, Business Affairs and Labor Report, dated February
37 6, 2006, and placed in member's bill file; Report also printed in House
38 Journal, February 7, page 243.

39
40 As amended, ordered engrossed and placed on the Calendar for Third
41 Reading and Final Passage.

42
43 On motion of Representative Garcia, the remainder of the General Orders
44 Calendar (**HB06-1079, 1126, 1309, 1076, 1159, 1165, 1181, 1183, 1010,**
45 **1105, 1118, 1132, 1160, 1080, 1102, 1122, 1169, 1020, 1073, 1107,**
46 **1108, 1162, 1210, 1239, 1187, 1195, 1319**) was laid over until
47 February 17, retaining place on Calendar.

48
49
50
51 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

52
53 Representatives Balmer, Stengel, and Lundberg moved to amend the
54 Report of the Committee of the Whole to show that **HB06-1174**, as
55 amended, did not pass.

56

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

	YES	26	NO	39	EXCUSED	00	ABSENT	00
3	Balmer	Y	Decker	Y	Larson	N	Pommer	N
4	Benefield	N	Frangas	N	Lindstrom	N	Ragsdale	N
5	Berens	N	Gallegos	N	Liston	Y	Riesberg	N
6	Borodkin	N	Garcia	N	Lundberg	Y	Rose	Y
7	Boyd	N	Gardner	Y	Madden	N	Schultheis	Y
8	Buescher	N	Green	N	Marshall	N	Solano	N
9	Butcher	N	Hall	Y	Massey	N	Soper	N
10	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
11	Carroll M	N	Hefley	Y	McCluskey	Y	Stengel	Y
12	Carroll T	N	Hodge	N	McFadyen	N	Sullivan	N
13	Cerbo	N	Hoppe	Y	McGihon	N	Todd	N
14	Clapp	Y	Jahn	N	McKinley	Y	Vigil	N
15	Cloer	Y	Judd	N	Merrifield	N	Weissmann	N
16	Coleman	N	Kerr	Y	Paccione	N	Welker	Y
17	Crane	Y	King	Y	Penry	Y	White	N
18	Curry	N	Knoedler	Y	Plant	N	Witwer	Y
19							Speaker	N

20
21
22 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

23
24 Passed Second Reading: **HB06-1084 amended, 1204 amended,**
25 **SB06-034, HB06-1030 amended, 1055 amended, 1144 amended, 1119**
26 **amended, 1174 amended.**

27
28 Laid over until date indicated retaining place on Calendar: **HB06-1079,**
29 **1126, 1309, 1076, 1159, 1165, 1181, 1183, 1010, 1105, 1118, 1132,**
30 **1160, 1080, 1102, 1122, 1169, 1020, 1073, 1107, 1108, 1162, 1210,**
31 **1239, 1187, 1195, 1319--February 17, 2006.**

32
33 The Chairman moved the adoption of the Committee of the Whole
34 Report. As shown by the following roll call vote, a majority of those
35 elected to the House voted in the affirmative, and the Report was
36 **adopted.**

	YES	65	NO	00	EXCUSED	00	ABSENT	00
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	Y	Harvey	Y	May	Y	Stafford	Y
47	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
48	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
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

APPOINTMENTS

Minority Leader Stengel announced the following temporary appointments which will be in effect until February 23, 2006:

Committee on Judiciary

Representative Cadman to replace Representative Hefley

Committee on Transportation & Energy

Representative Balmer to replace Representative Hefley

REPORTS OF COMMITTEES OF REFERENCE**BUSINESS AFFAIRS & LABOR**

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

HB06-1161 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 3, strike lines 10 through 16 and substitute the following:

"(1) "BROKER A MORTGAGE" MEANS TO DIRECTLY OR INDIRECTLY ACT AS A MORTGAGE BROKER.";

strike lines 20 through 22 and substitute the following:

"(4) "MORTGAGE BROKER" MEANS AN INDIVIDUAL WHO NEGOTIATES, ORIGINATES, OR OFFERS OR ATTEMPTS TO NEGOTIATE OR ORIGINATE FOR A BORROWER, AND FOR A COMMISSION OR OTHER THING OF VALUE, A LOAN TO BE CONSUMMATED AND FUNDED BY A MORTGAGE LENDER.

(5) "MORTGAGE LENDER" MEANS A LENDER WHO IS IN THE BUSINESS OF MAKING MORTGAGE LOANS IF:

(a) THE LENDER IS THE PAYEE ON THE PROMISSORY NOTE EVIDENCING THE LOAN; AND

(b) THE LOAN PROCEEDS ARE OBTAINED BY THE LENDER FROM ITS OWN FUNDS OR FROM A LINE OF CREDIT MADE AVAILABLE TO THE LENDER FROM A BANK OR OTHER ENTITY WHO REGULARLY LOANS MONEY TO LENDERS FOR THE PURPOSE OF FUNDING MORTGAGE LOANS."

Renumber succeeding subsection accordingly.

Page 4, line 15, strike "A LICENSE," and substitute "REGISTRATION,".

Page 5, after line 1, insert the following:

"(5) THE DIRECTOR SHALL ISSUE OR DENY A REGISTRATION WITHIN TWENTY-ONE DAYS AFTER RECEIVING THE COMPLETED CRIMINAL HISTORY RECORD CHECK, COMPLETED APPLICATION, APPLICATION FEE, AND PROOF

1 OF THE POSTING OF THE SURETY BOND.";
2
3 strike lines 9 and 10 and substitute the following:
4
5 "(c) A BANK, SAVINGS BANK, SAVINGS AND LOAN";
6
7 line 15, strike "THE UNITED STATES AND" and substitute "THE UNITED
8 STATES, SUBJECT TO REGULATION AND SUPERVISION BY A FEDERAL
9 BANKING AGENCY, OR";
10
11 strike lines 16 and 17 and substitute the following:
12
13 "SUBSIDIARY OR AFFILIATE OF SUCH ENTITIES, OR AN EMPLOYEE OR
14 EXCLUSIVE AGENT OF ANY OF SUCH ENTITIES, INCLUDING, WITHOUT
15 LIMITATION, A SUBSIDIARY OR AFFILIATE OF SUCH ENTITIES.";
16
17 line 21 strike "OR";
18
19 after line 21, insert the following:
20
21 "(e) A FEDERAL HOUSING ADMINISTRATION APPROVED MORTGAGEE
22 OR AN APPOINTED FEDERAL HOUSING ADMINISTRATION CORRESPONDENT,
23 ACTING THROUGH OFFICERS, PARTNERS, MEMBERS, EXCLUSIVE AGENTS, OR
24 EMPLOYEES OF SUCH ENTITIES; OR".
25
26 Reletter succeeding paragraph accordingly.
27
28 Page 6, after line 4, insert the following:
29
30 "(2) THE EXEMPTIONS IN SUBSECTION (1) OF THIS SECTION SHALL
31 NOT APPLY TO PERSONS ACTING BEYOND THE SCOPE OF SUCH
32 EXEMPTIONS."
33
34 Page 9, strike lines 25 and 26 and substitute the following:
35
36 "**12-61-907. Bond required.** (1) PRIOR TO REGISTRATION, AN".
37
38 Page 10, strike line 2 and substitute "C.R.S., OF TWENTY-FIVE THOUSAND
39 DOLLARS.";
40
41 line 3, strike "PARAGRAPH (b) OF THIS SUBSECTION (1), A" and substitute
42 "A";
43
44 strike lines 5 through 11.
45
46 Page 11, strike lines 3 through 13 and substitute the following:
47
48 "**12-61-909. Attorney general - district attorney - jurisdiction.**
49 THE ATTORNEY GENERAL SHALL HAVE CONCURRENT JURISDICTION WITH
50 THE DISTRICT ATTORNEYS OF THIS STATE TO INVESTIGATE AND PROSECUTE
51 ALLEGATIONS OF CRIMINAL VIOLATIONS OF THIS PART 9.";
52
53 strike lines 20 through 25.
54
55 Page 12, after line 12, insert the following:
56

1 **"12-61-911. Repeal.** (1) THE PROVISIONS OF SECTION 24-34-104,
2 C.R.S., CONCERNING THE TERMINATION SCHEDULE FOR REGULATORY
3 BODIES OF THE STATE UNLESS EXTENDED, APPLY TO THE REGISTRATION OF
4 MORTGAGE BROKERS UNDER THIS PART 9.

5
6 (2) THE SUNSET REVIEW, PERFORMED PURSUANT TO SECTION
7 24-34-104, C.R.S., SHALL INCLUDE AN ANALYSIS OF THE NUMBER AND
8 TYPES OF COMPLAINTS AND WHETHER THE REGISTRATION OF MORTGAGE
9 BROKERS CORRELATES WITH THE PUBLIC BEING PROTECTED FROM
10 FRAUDULENT ACTIVITIES.

11
12 (3) THIS PART 9 IS REPEALED, EFFECTIVE JULY 1, 2011."

13
14 Page 13, after line 8, insert the following:

15
16 **"SECTION 3.** 24-34-104 (42), Colorado Revised Statutes, is
17 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

18
19 **24-34-104. General assembly review of regulatory agencies and**
20 **functions for termination, continuation, or reestablishment.** (42) The
21 following agencies, functions, or both, shall terminate on July 1, 2011:

22
23 (j) THE REGISTRATION OF MORTGAGE BROKERS PURSUANT TO PART
24 9 OF ARTICLE 61 OF TITLE 12, C.R.S."

25
26 Renumber succeeding sections accordingly.

27
28
29
30 **HB06-1199** be referred to the Committee of the Whole with favorable
31 recommendation.

32
33
34 **HB06-1264** be amended as follows, and as so amended, be referred to
35 the Committee of the Whole with favorable
36 recommendation:

37
38 Amend printed bill, page 5, line 5, strike "BY ELECTRONIC";

39
40 line 6, strike "TRANSMISSION,";

41
42 line 7, strike "SERVICE, MAILING, OR" and substitute "SERVICE OR
43 MAILING";

44
45 line 8, strike "ELECTRONIC TRANSMISSION".

46
47 Page 10, line 4, strike "BY ELECTRONIC";

48
49 line 5, strike "TRANSMISSION,";

50
51 line 6, strike "SERVICE, MAILING, OR" and substitute "SERVICE OR
52 MAILING";

53
54 line 7, strike "ELECTRONIC TRANSMISSION".

55
56 Page 14, line 6, strike the second "BY";

1 line 7, strike "ELECTRONIC TRANSMISSION,";
2
3 line 8, strike "SERVICE," and substitute "SERVICE";
4
5 line 9, strike "MAILING, OR ELECTRONIC TRANSMISSION" and substitute
6 "OR MAILING".
7
8 Page 18, line 18, strike the second "BY";
9
10 line 19, strike "ELECTRONIC TRANSMISSION,";
11
12 line 20, strike "SERVICE," and substitute "SERVICE";
13
14 line 21, strike "MAILING, OR ELECTRONIC TRANSMISSION" and substitute
15 "OR MAILING".
16
17 Page 23, line 13, strike the second "BY";
18
19 line 14, strike "ELECTRONIC TRANSMISSION,";
20
21 line 15, strike "SERVICE," and substitute "SERVICE";
22
23 line 16, strike "MAILING, OR ELECTRONIC TRANSMISSION" and substitute
24 "OR MAILING".
25
26 Page 27, line 12, strike the second "BY";
27
28 line 13, strike "ELECTRONIC TRANSMISSION,";
29
30 line 14, strike "SERVICE," and substitute "SERVICE";
31
32 line 15, strike "MAILING, OR ELECTRONIC TRANSMISSION" and substitute
33 "OR MAILING".
34
35 Page 31, line 7, strike "BY ELECTRONIC";
36
37 line 8, strike "TRANSMISSION,";
38
39 line 9, strike "SERVICE, MAILING, OR" and substitute "SERVICE OR
40 MAILING";
41
42 line 10, strike "ELECTRONIC TRANSMISSION".
43
44 Page 35, line 5, strike "BY ELECTRONIC";
45
46 line 6, strike "TRANSMISSION,";
47
48 line 7, strike "SERVICE, MAILING, OR" and substitute "SERVICE OR
49 MAILING";
50
51 line 8, strike "ELECTRONIC TRANSMISSION".
52
53 Page 39, line 11, strike "BY ELECTRONIC";
54
55 line 12, strike "TRANSMISSION,";
56

- 1 line 13, strike "SERVICE, MAILING, OR" and substitute "SERVICE OR
2 MAILING";
3
4 line 14, strike "ELECTRONIC TRANSMISSION".
5
6 Page 44, line 1, strike "BY ELECTRONIC";
7
8 line 2, strike "TRANSMISSION,";
9
10 line 3, strike "SERVICE, MAILING, OR" and substitute "SERVICE OR
11 MAILING";
12
13 line 4, strike "ELECTRONIC TRANSMISSION".
14
15 Page 48, line 4, strike the second "BY";
16
17 line 5, strike "ELECTRONIC TRANSMISSION,";
18
19 line 6, strike "SERVICE," and substitute "SERVICE";
20
21 line 7, strike "MAILING, OR ELECTRONIC TRANSMISSION" and substitute
22 "OR MAILING".
23
24 Page 51, line 18, strike "BY ELECTRONIC TRANSMISSION,";
25
26 line 20, strike "SERVICE, MAILING, OR ELECTRONIC TRANSMISSION" and
27 substitute "SERVICE OR MAILING".
28
29 Page 55, line 23, strike "BY ELECTRONIC";
30
31 line 24, strike "TRANSMISSION,";
32
33 line 25, strike "SERVICE, MAILING, OR" and substitute "SERVICE OR
34 MAILING";
35
36 line 26, strike "ELECTRONIC TRANSMISSION".
37
38 Page 59, line 11, strike "BY ELECTRONIC";
39
40 line 12, strike "TRANSMISSION,";
41
42 line 13, strike "SERVICE, MAILING, OR" and substitute "SERVICE OR
43 MAILING";
44
45 line 14, strike "ELECTRONIC TRANSMISSION".
46
47 Page 64, line 16, strike "BY ELECTRONIC";
48
49 line 17, strike "TRANSMISSION,";
50
51 line 18, strike "SERVICE, MAILING, OR" and substitute "SERVICE OR
52 MAILING";
53
54 line 19, strike "ELECTRONIC TRANSMISSION".
55
56 Page 68, line 8, strike the second "BY";

1 line 9, strike "ELECTRONIC TRANSMISSION,";
2
3 line 10, strike "SERVICE," and substitute "SERVICE";
4
5 line 11, strike "MAILING, OR ELECTRONIC TRANSMISSION" and substitute
6 "OR MAILING".
7
8 Page 72, line 9, strike "BY ELECTRONIC";
9
10 line 10, strike "TRANSMISSION,";
11
12 line 11, strike "SERVICE, MAILING, OR" and substitute "SERVICE OR
13 MAILING";
14
15 line 12, strike "ELECTRONIC TRANSMISSION".
16
17 Page 76, line 4, strike "BY ELECTRONIC";
18
19 line 5, strike "TRANSMISSION,";
20
21 line 6, strike "SERVICE, MAILING, OR" and substitute "SERVICE OR
22 MAILING";
23
24 line 7, strike "ELECTRONIC TRANSMISSION".
25
26 Page 80, line 10, strike "BY ELECTRONIC";
27
28 line 11, strike "TRANSMISSION,";
29
30 line 12, strike "SERVICE, MAILING, OR" and substitute "SERVICE OR
31 MAILING";
32
33 line 13, strike "ELECTRONIC TRANSMISSION".
34
35 Page 84, line 4, strike "BY ELECTRONIC";
36
37 line 5, strike "TRANSMISSION,";
38
39 line 6, strike "SERVICE, MAILING, OR" and substitute "SERVICE OR
40 MAILING";
41
42 line 7, strike "ELECTRONIC TRANSMISSION".
43
44 Page 87, line 26, strike the second "BY";
45
46 line 27, strike "ELECTRONIC TRANSMISSION,".
47
48 Page 88, line 1, strike "SERVICE," and substitute "SERVICE";
49
50 line 2, strike "MAILING, OR ELECTRONIC TRANSMISSION" and substitute
51 "OR MAILING".
52
53 Page 91, line 25, strike the second "BY";
54
55 line 26, strike "ELECTRONIC TRANSMISSION,";
56

- 1 line 27, strike "SERVICE," and substitute "SERVICE".
2
3 Page 92, line 1, strike "MAILING, OR ELECTRONIC TRANSMISSION" and
4 substitute "OR MAILING".
5
6 Page 96, line 9, strike "BY ELECTRONIC";
7
8 line 10, strike "TRANSMISSION,";
9
10 line 11, strike "SERVICE, MAILING, OR" and substitute "SERVICE OR
11 MAILING";
12
13 line 12, strike "ELECTRONIC TRANSMISSION".
14
15 Page 100, line 13, strike the second "BY";
16
17 line 14, strike "ELECTRONIC TRANSMISSION,";
18
19 line 15, strike "SERVICE," and substitute "SERVICE";
20
21 line 16, strike "MAILING, OR ELECTRONIC TRANSMISSION" and substitute
22 "OR MAILING".
23
24 Page 104, line 8, strike "BY ELECTRONIC";
25
26 line 9, strike "TRANSMISSION,";
27
28 line 10, strike "SERVICE, MAILING, OR" and substitute "SERVICE OR
29 MAILING";
30
31 line 11, strike "ELECTRONIC TRANSMISSION".
32
33 Page 108, line 11, strike "BY ELECTRONIC";
34
35 line 12, strike "TRANSMISSION,";
36
37 line 13, strike "SERVICE, MAILING, OR" and substitute "SERVICE OR
38 MAILING";
39
40 line 14, strike "ELECTRONIC TRANSMISSION".
41
42 Page 110, after line 14, insert the following:
43 **"SECTION 44.** 24-34-101, Colorado Revised Statutes, is
44 amended BY THE ADDITION OF A NEW SUBSECTION to read:
45
46 **24-34-101. Department created - executive director.** (13) THE
47 EXECUTIVE DIRECTOR SHALL INCLUDE IN THE PRESENTATION TO THE
48 LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO SECTION 2-7-201,
49 C.R.S., THE NUMBER OF CONFIDENTIAL LETTERS OF CONCERN ISSUED IN
50 THE TWELVE MONTHS PRIOR TO THE PRESENTATION BY THE DIRECTOR OF
51 THE DIVISION OF REGISTRATIONS AND ANY BOARD PURSUANT TO TITLE 12,
52 C.R.S."
53
54 Renumber succeeding section accordingly.
55
56 **FINANCE**

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

3
4 **HB06-1201** be amended as follows, and as so amended, be referred to
5 the Committee on Appropriations with favorable
6 recommendation:

7
8 Amend printed bill, page 2, line 4, strike "(I)";

9
10 strike line 7 and substitute the following:

11
12 "9 (5) (b) (II) of article XVIII of the state constitution; except that:

13
14 (I) For";

15
16 strike lines 13 through 20 and substitute the following:

17
18 "24-49.7-106, C.R.S.;

19
20 (II) For the 2003-04 ~~state~~ fiscal year, fifty percent shall be
21 transferred to the general fund of the state; AND

22
23 (III) (A) EXCEPT AS PROVIDED IN SUB-SUBPARAGRAPH (B) OF THIS
24 SUBPARAGRAPH (III), FOR THE 2005-06 FISCAL YEAR AND EACH FISCAL
25 YEAR THEREAFTER, AFTER THE TRANSFER TO THE LOCAL GOVERNMENT
26 LIMITED GAMING IMPACT FUND REQUIRED BY SECTION 12-47.1-1601,
27 FIFTY PERCENT OF THE PORTION OF LIMITED GAMING FUND MONEYS THAT
28 WOULD OTHERWISE BE TRANSFERRED TO THE GENERAL FUND PURSUANT TO
29 SECTION 9 (5) (b) (II) OF ARTICLE XVIII OF THE STATE CONSTITUTION
30 SHALL BE TRANSFERRED TO THE COLORADO TRAVEL AND TOURISM
31 PROMOTION FUND CREATED IN SECTION 24-49.7-106, C.R.S.";

32
33 line 21, strike "(II)" and substitute "(B)".

34
35 Page 3, line 5, strike "SUBPARAGRAPH (I) OF THIS PARAGRAPH" and
36 substitute "SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III)";

37
38 line 6, strike "(a)";

39
40 strike line 7 and substitute the following:

41
42 "OF THE";

43
44 line 8, strike "(A) THE";

45
46 line 9, strike "FUND; OR" and substitute "FUND OR THE";

47
48 line 10, strike "(B) THE";

49
50 after line 11, insert the following:

51
52 **SECTION 2.** 12-47.1-1601 (2) and (3), Colorado Revised
53 Statutes, are amended to read:

54
55 **12-47.1-1601. Local government limited gaming impact fund.**
56 (2) Out of the fifty percent share to be transferred to the general fund

1 pursuant to section 9 (5) (b) (II) of article XVIII of the state constitution,
 2 a percentage thereof, which shall be determined by the commission in
 3 consultation with the local government limited gaming impact advisory
 4 committee created in section 12-47.1-1602, AN AGGREGATE TOTAL OF
 5 THIRTEEN PERCENT shall be transferred annually to the fund.

6
 7 ~~(3) Except as otherwise provided in this subsection (3), in no~~
 8 ~~event shall less than an aggregate total of eleven percent of the fifty~~
 9 ~~percent share of the limited gaming fund to be transferred to the general~~
 10 ~~fund pursuant to section 9 (5) (b) (II) of article XVIII of the state~~
 11 ~~constitution be transferred annually to the fund. Commencing July 1,~~
 12 ~~2002, in no event shall less than an aggregate total of thirteen percent of~~
 13 ~~the fifty percent share of the limited gaming fund to be transferred~~
 14 ~~annually to the general fund pursuant to section 9 (5) (b) (II) of article~~
 15 ~~XVIII of the state constitution be transferred to the fund. The local~~
 16 ~~government limited gaming impact advisory committee shall request that~~
 17 ~~the commission and the general assembly approve funding for all~~
 18 ~~documented gaming impacts upon local governments eligible for funding~~
 19 ~~pursuant to subsection (4) of this section from the general fund share of~~
 20 ~~gaming revenues if the committee determines that the documented~~
 21 ~~gaming impacts upon eligible local governments exceed:~~

- 22
- 23 ~~(a) The amount of state gaming funds provided by the state~~
- 24 ~~constitution to affected counties;~~
- 25
- 26 ~~(b) The amount of locally derived revenues from gaming; and~~
- 27
- 28 ~~(c) The amount of revenue distributed pursuant to this section.~~
- 29

30 **SECTION 3. Repeal.** 12-47.1-1602 (3) (e), Colorado Revised
 31 Statutes, is repealed as follows:

32

33 **12-47.1-1602. Local government limited gaming impact**
 34 **advisory committee - creation - duties.** (3) The committee shall have
 35 the following duties:

36

37 ~~(e) To make requests as required by section 12-47.1-1601 (3) that~~
 38 ~~the Colorado limited gaming control commission and the general~~
 39 ~~assembly approve funding for all documented gaming impacts upon local~~
 40 ~~governments eligible for funding pursuant to section 12-47.1-1601 (3)."~~

41

42 Renumber succeeding section accordingly.

43

44

45

46 **HB06-1308** be referred favorably to the Committee on Appropriations.

47

48

49 **HB06-1310** be amended as follows, and as so amended, be referred to
 50 the Committee on Appropriations with favorable
 51 recommendation:

52

53 Amend printed bill, page 5, strike line 6 and substitute the following:
 54 "thousand dollars, the GENERAL ASSEMBLY SHALL APPROPRIATE the
 55 amount of the shortfall shall be allocated out of the";

1 strike lines 17 and 18 and substitute the following:

2

3 "the sixty-fourth general assembly, or eight percent of the total amount
4 of settlement moneys annually received by the state, not to exceed eight".

5

6 Page 9, strike lines 5 through 11 and substitute the following:

7

8 "due to any lessor during the fiscal year ~~and~~ OR eight percent of the total
9 amount received by the state pursuant to the master settlement agreement,
10 other than attorney fees and costs, during the preceding fiscal year;
11 except that the amount ~~appropriated~~ TRANSFERRED pursuant to this
12 subsection (3.5) in any fiscal year shall not exceed eight million dollars."

13

14 Page 11, strike line 4 and substitute the following:

15

16 "SECTION 6. 24-22-115.5 (2) (a.7) (I), Colorado Revised
17 Statutes, is amended to read:

18

19 **24-22-115.5. Legislative declaration - tobacco litigation**
20 **settlement trust fund - creation.** (2) (a.7) (I) The principal of the
21 tobacco litigation settlement trust fund shall not be expended or
22 appropriated for any purpose; except that moneys in the trust fund may
23 be ~~allocated~~ APPROPRIATED to the children's basic health plan trust as
24 provided in section 24-75-1104.5 (1) (c). All interest derived from the
25 deposit and investment of moneys in the trust fund shall be credited to the
26 trust fund. Such interest shall become subject to appropriation by the
27 general assembly for the funding of any programs or funds authorized by
28 law to be funded by tobacco litigation settlement moneys at such time as
29 the state auditor certifies that actuarially sound projections of future
30 interest earnings indicate that such interest will be sufficient to fully fund
31 such programs and funds. No part of such trust fund, principal or
32 interest, shall be transferred to the general fund or any other fund or used
33 or appropriated except as provided in this section.

34

35 **SECTION 7.** 25-23-104 (1) and (2), Colorado Revised Statutes,
36 are".

37

38 Renumber succeeding sections accordingly.

39

40 Page 11, strike line 7 and substitute the following:

41

42 "**and donations.** (1) The state dental loan repayment program shall be
43 funded by moneys appropriated by the general assembly specifically for
44 said program, moneys ~~appropriated~~ TRANSFERRED thereto pursuant to
45 subsection (2) of this section, and any matching funds or contributions
46 received from any public or private sources. Such funds shall be
47 transmitted to the treasurer, who shall credit the same to the state dental
48 loan repayment fund, which fund is hereby created. At the end of any
49 fiscal year, all unexpended and unencumbered moneys in the fund shall
50 remain therein and shall not be credited or transferred to the general fund
51 or any other fund. Moneys in the fund shall be used to provide loan
52 repayment assistance to eligible dental professionals. Moneys in the fund
53 may also be used to pay for the administrative costs of the department of
54 public health and environment to implement the loan repayment program
55 except that administrative costs shall not exceed ten percent. For fiscal
56 year 2001-02 only, administrative costs shall not exceed thirty-six

1 thousand dollars (\$36,000) and may be paid from the state dental loan
2 repayment fund.

3

4 (2) Pursuant to section 24-75-1104.5 (1) (d), C.R.S.,".

5

6

7

8

9 **HEALTH & HUMAN SERVICES**

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

12

13 **HB06-1266** be amended as follows, and as so amended, be referred to
14 the Committee on Appropriations with favorable
15 recommendation:

16

17 Amend printed bill, page 3, strike lines 26 and 27.

18

19 Page 4, strike lines 1 through 6.

20

21 Page 6, strike lines 6 through 27.

22

23 Strike page 7.

24

25 Page 8, strike lines 1 through 21.

26

27 Renumber succeeding sections accordingly.

28

29 Page 9, after line 2, insert the following:

30

31 **"SECTION 6.** 8-42-124 (1) and (6), Colorado Revised Statutes,
32 are amended to read:

33

34 **8-42-124. Assignability and exemption of claims - payment to**
35 **employers - when.** (1) Except for amounts due under court-ordered
36 support OR FOR A JUDGMENT FOR A DEBT FOR FRAUDULENTLY OBTAINED
37 PUBLIC ASSISTANCE, FRAUDULENTLY OBTAINED OVERPAYMENTS OF PUBLIC
38 ASSISTANCE, OR EXCESS PUBLIC ASSISTANCE PAID FOR WHICH THE
39 RECIPIENT WAS INELIGIBLE, claims for compensation or benefits due under
40 articles 40 to 47 of this title shall not be assigned, released, or commuted
41 except as provided in said articles and shall be exempt from all claims of
42 creditors and from levy, execution, and attachment or other remedy or
43 recovery or collection of a debt, which exemption may not be waived.

44

45 (6) Nothing in this section shall be construed to limit in any way
46 the right of any employee to full payment of any award which may be
47 granted to said employee for permanent partial or permanent total
48 disability under the provisions of articles 40 to 47 of this title; except that
49 benefits for permanent total disability and permanent partial disability
50 shall be subject to wage assignment or income assignment as wages
51 pursuant to section 14-14-102 (9), C.R.S., and subject to garnishment as
52 earnings pursuant to section 13-54.5-101 (2) (b), C.R.S., and subject to
53 administrative lien and attachment pursuant to section 26-13-122, C.R.S.,
54 for purposes of enforcement of court-ordered child support AND SUBJECT
55 TO GARNISHMENT AS EARNINGS PURSUANT TO SECTIONS 13-54-104 (1) (b)
56 (IV) AND 13-54.5-101 (2) (d), C.R.S., FOR PURPOSES OF ENFORCEMENT OF

1 A JUDGMENT FOR A DEBT FOR FRAUDULENTLY OBTAINED PUBLIC
2 ASSISTANCE, FRAUDULENTLY OBTAINED OVERPAYMENTS OF PUBLIC
3 ASSISTANCE, OR EXCESS PUBLIC ASSISTANCE PAID FOR WHICH THE
4 RECIPIENT WAS INELIGIBLE.

5

6 **SECTION 7.** 8-43-204, Colorado Revised Statutes, is amended
7 BY THE ADDITION OF A NEW SUBSECTION to read:

8

9 **8-43-204. Settlements.** (5) IF AN EMPLOYEE OWES A DEBT FOR
10 WHICH A WRIT IS ISSUED AS A RESULT OF A JUDGMENT FOR FRAUDULENTLY
11 OBTAINED PUBLIC ASSISTANCE, FRAUDULENTLY OBTAINED OVERPAYMENTS
12 OF PUBLIC ASSISTANCE, OR EXCESS PUBLIC ASSISTANCE PAID FOR WHICH
13 THE RECIPIENT WAS INELIGIBLE AND A GARNISHMENT HAS BEEN FILED
14 PURSUANT TO SECTION 13-54-104 OR 13-54.5-101, C.R.S., WITH THE
15 INSURER OR SELF-INSURED EMPLOYER, ALL PROCEEDS OF ANY AWARD,
16 LUMP SUM SETTLEMENT, AND THE INDEMNITY PORTION OF ANY
17 STRUCTURED SETTLEMENT SHALL BE SUBJECT TO THE GARNISHMENT.
18 PROCEEDS UP TO THE AMOUNT OF THE GARNISHMENT SHALL BE PAID AS
19 DIRECTED BY THE COUNTY DEPARTMENT OF SOCIAL SERVICES RESPONSIBLE
20 FOR ADMINISTERING THE STATE PUBLIC ASSISTANCE PROGRAMS."

21

22 Renumber succeeding section accordingly.

23

24

25

26 **HB06-1271** be amended as follows, and as so amended, be referred to
27 the Committee of the Whole with favorable
28 recommendation:

29

30 Amend printed bill, page 2, line 1, strike "The" and substitute "26-6-102
31 (1.5) and the";

32

33 line 2, strike "is" and substitute "are";

34

35 after line 5, insert the following:

36

37 "(1.5) "Child care center" means a facility, by whatever name
38 known, that is maintained for the whole or part of a day for the care of
39 five or more children who are eighteen years of age or younger and who
40 are not related to the owner, operator, or manager thereof, whether such
41 facility is operated with or without compensation for such care and with
42 or without stated educational purposes. The term includes, but is not
43 limited to, facilities commonly known as day care centers, school-age
44 child care centers, before and after school programs, nursery schools,
45 kindergartens, preschools, day camps, summer camps, and centers for
46 developmentally disabled children and those facilities that give
47 twenty-four-hour care for children and includes those facilities for
48 children under the age of six years with stated educational purposes
49 operated in conjunction with a public, private, or parochial college or a
50 private or parochial school; except that the term shall not apply to any
51 kindergarten maintained in connection with a public, private, or parochial
52 elementary school system of at least six grades or operated as a
53 component of a school district's preschool program operated pursuant to
54 article 28 of title 22, C.R.S. The term shall not include any facility
55 licensed as a family child care home, ~~or~~ A foster care home, OR A
56 SPECIALIZED GROUP FACILITY THAT IS LICENSED TO PROVIDE CARE FOR

1 THREE OR MORE CHILDREN PURSUANT TO SUBSECTION (10) OF THIS
2 SECTION, BUT THAT IS PROVIDING CARE FOR THREE OR FEWER CHILDREN
3 WHO ARE DETERMINED TO HAVE A DEVELOPMENTAL DISABILITY BY A
4 COMMUNITY CENTERED BOARD OR WHO ARE DIAGNOSED WITH A SERIOUS
5 EMOTIONAL DISTURBANCE.".

6
7 Page 3, line 18, strike "ARE DIAGNOSED" and substitute "HAVE A SERIOUS
8 EMOTIONAL DISTURBANCE.";
9
10 strike line 19.

11
12
13
14 **HB06-1318** be amended as follows, and as so amended, be referred to
15 the Committee of the Whole with favorable
16 recommendation:

17
18 Amend printed bill, page 2, line 13, after "face-to-face" insert "CLIENT";
19
20 line 17, strike "TWENTY" and substitute "TWO";
21
22 line 18, strike "THE PRACTICE;" and substitute "EACH SESSION;";
23
24 line 19, strike "TWENTY-FIVE" and substitute "FIFTY";
25
26 line 21, strike "THERAPY WITH PERSONS" and substitute "THERAPY.";
27
28 strike line 22 and substitute "~~and~~".

29
30
31
32
33 **STATE, VETERANS, & MILITARY AFFAIRS**
34 After consideration on the merits, the Committee recommends the
35 following:

36
37 **HB06-1075** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40
41 Amend printed bill, page 2, line 1, strike "amended" and substitute
42 "amended, and the said 17-24-106.6 is further amended BY THE
43 ADDITION OF A NEW SUBSECTION,";

44
45 after line 8, insert the following:
46 "(7) THE DEPARTMENT OF HIGHER EDUCATION AND EACH
47 INSTITUTION OF HIGHER EDUCATION ARE ENCOURAGED TO UTILIZE THE
48 PROCEDURES OF THE DIVISION CONCERNING THE SALE, PURCHASE,
49 COLLECTION, AND DISPOSAL OF SURPLUS STATE PROPERTY.".

50
51
52
53 **HB06-1191** be amended as follows, and as so amended, be referred to
54 the Committee of the Whole with favorable
55 recommendation:

56

1 Amend printed bill, page 2, line 13, strike "PERCENT." and substitute
2 "PERCENT OF THE VOTES CAST FOR THE CANDIDATE WHO WON THE
3 ELECTION WITH THE LEAST VOTES.";

4

5 strike lines 15 through 19 and substitute the following:

6

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

17

18

19

20 **HB06-1192** be referred to the Committee of the Whole with favorable
21 recommendation.

22

23

24 **HB06-1198** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:

27

28 Amend printed bill, page 2, strike lines 14 through 16 and substitute the
29 following:

30

31 **"SECTION 2. Effective date.** This act shall take effect at 12:01
32 a.m. on the day following the expiration of the ninety-day period after
33 final adjournment of the general assembly that is allowed for submitting
34 a referendum petition pursuant to article V, section 1 (3) of the state
35 constitution (August 9, 2006, if adjournment sine die is on May 10,
36 2006); except that, if a referendum petition is filed against this act or an
37 item, section, or part of this act within such period, then the act, item,
38 section, or part, if approved by the people, shall take effect on the date of
39 the official declaration of the vote thereon by proclamation of the
40 governor."

41

42

43

44 **HB06-1262** be postponed indefinitely.

45

46

47 **HB06-1301** be postponed indefinitely.

48

49

50 **HB06-1307** be amended as follows, and as so amended, be referred to
51 the Committee on Finance with favorable
52 recommendation:

53

54 Amend printed bill, page 3, line 11, after the second "and", insert "a
55 geographically and politically diverse group of private citizens and to".

56

1 Page 4, strike lines 22 through 27.

2

3 Page 5, strike lines 1 through 8.

4

5 Reletter succeeding paragraphs accordingly.

6

7 Page 5, line 10, strike the second "AND";

8

9 line 12, strike "DESIGNEE." and substitute "DESIGNEE;"

10

11 after line 12, insert the following:

12

13 "(f) THREE CITIZENS OF THE STATE APPOINTED BY THE GOVERNOR
14 WITHOUT THE REQUIREMENT OF SENATE CONFIRMATION, ONE FROM THE
15 MEMBERSHIP OF EACH MAJOR POLITICAL PARTY AND ONE WHO IS
16 UNAFFILIATED WITH EITHER MAJOR POLITICAL PARTY;

17

18 (g) TWO CITIZENS OF THE STATE APPOINTED BY THE SPEAKER OF
19 THE HOUSE OF REPRESENTATIVES WHO MAY NOT BE FROM THE SAME
20 MAJOR POLITICAL PARTY; AND

21

22 (h) TWO CITIZENS OF THE STATE APPOINTED BY THE PRESIDENT OF
23 THE SENATE, WHO MAY NOT BE FROM THE SAME MAJOR POLITICAL PARTY.

24

25 (1.5) THE CITIZENS APPOINTED PURSUANT TO PARAGRAPHS (f) TO
26 (h) OF SUBSECTION (1) OF THIS SECTION SHALL NOT BE GOVERNMENT
27 EMPLOYEES, AND EACH OF THE CITIZENS APPOINTED PURSUANT TO
28 PARAGRAPHS (g) AND (h) OF SUBSECTION (1) OF THIS SECTION SHALL BE
29 FROM DIFFERENT CONGRESSIONAL DISTRICTS. THE GOVERNOR, THE
30 SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE PRESIDENT OF THE
31 SENATE ARE ENCOURAGED TO WORK TOGETHER TO ENSURE THE
32 APPOINTMENT OF ONE CITIZEN FROM EACH CONGRESSIONAL DISTRICT."

33

34 Page 7, line 14, strike "TO ENSURE THAT THE SUCCESS";

35

36 strike line 15 and substitute the following:

37

38 "IN ESTABLISHING SUCCESS MEASURES AND SHALL ONLY ESTABLISH
39 SUCCESS MEASURES THAT THE STATE AUDITOR HAS CERTIFIED AS BEING
40 OUTCOME-BASED AND".

41

42

43

44 **SB06-009** be referred to the Committee of the Whole with favorable
45 recommendation.

46

47

48

49

50 **TRANSPORTATION & ENERGY**

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

53

54 **HB06-1203** be postponed indefinitely.

55

56

1 **HB06-1244** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB06-1281** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:
8

9 Amend printed bill, page 7, strike lines 23 and 24 and substitute the
10 following:
11

12 "DEVELOPMENT FUND CREATED IN SECTION 24-22-118, C.R.S.";
13
14 line 27, strike "COMMISSION" and substitute "GOVERNOR'S OFFICE OF
15 ENERGY MANAGEMENT AND CONSERVATION".
16

17 Page 8, strike lines 15 through 22.
18

19 Renumber succeeding sections accordingly.
20

21 Page 8, line 25, strike "06-____" and substitute "06-1322".
22

23 Page 1, strike lines 104 and 105 and substitute the following:
24

25 "GENERATION."
26
27
28

29 **HB06-1294** be amended as follows, and as so amended, be referred to
30 the Committee on Appropriations with favorable
31 recommendation:
32

33 Amend printed bill, page 2, line 5, strike "IF" and substitute "ON OR
34 AFTER JULY 1, 2008, IF".
35

36 Page 3, strike lines 14 through 18 and substitute the following:
37

38 "APPLICANT A STANDARD CERTIFICATE OF TITLE IF THE APPLICANT OBTAINS
39 A CERTIFIED VEHICLE IDENTIFICATION NUMBER INSPECTION."
40

41 42 43 PRINTING REPORT

44
45 The Chief Clerk reports the following bills have been correctly printed:
46 **HB06-1336, 1337, 1338.**
47

48 49 50 MESSAGE FROM THE SENATE

51
52 The Senate has passed on Third Reading and transmitted to the Revisor
53 of Statutes:
54 SB06-108, amended as printed in Senate Journal, February 10, page 177.
55
56

MESSAGE FROM THE REVISOR

1
2
3 We herewith transmit:
4 Without comment, as amended, SB06-108.
5
6

INTRODUCTION OF BILLS
First Reading

7
8
9
10
11 The following bills were read by title and referred to the committees
12 indicated:

13
14 **HB06-1339** by Representative(s) Garcia; also Senator(s) Spence--
15 Concerning the creation of a Denver broncos special
16 license plate.
17 Committee on Transportation & Energy
18

19 **SB06-108** by Senator(s) Hagedorn; also Representative(s) Hefley--
20 Concerning the early discharge of juveniles from parole.
21 Committee on Judiciary
22

LAY OVER OF CALENDAR ITEMS

23
24
25
26
27 On motion of Representative Garcia, the following items on the Calendar
28 were laid over until February 17, retaining place on Calendar:
29

30 Consideration of Resolutions--**SJR06-002, HJR06-1013.**
31 Consideration of Senate Amendments--**HB06-1012.**
32

33
34
35 On motion of Representative Garcia, the House adjourned until 9:00 a.m.,
36 February 17, 2006.
37

38
39
40
41
42
43
Approved:
ANDREW ROMANOFF,
Speaker

41 Attest:
42 MARILYN EDDINS,
43 Chief Clerk