

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

Tenth Legislative Day

Friday, January 20, 2006

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

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

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5 Pledge of Allegiance led by Representative Boyd.

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7 The roll was called with the following result:

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9 Present--62.

10 Excused--Representatives Buescher, Hoppe, Sullivan--3.

11 Present after roll call--Representative Sullivan.

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13 The Speaker declared a quorum present.

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

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**PRINTING REPORT**

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23 The Chief Clerk reports the following bills have been correctly printed:  
24 **HB06-1170, 1171, 1173, 1174, 1176, 1177, 1178, 1179, 1180.**

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**REPORTS OF COMMITTEE OF REFERENCE**

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**EDUCATION**

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

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33 **HB06-1005** be referred to the Committee of the Whole with favorable  
34 recommendation.

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37 **HB06-1021** be amended as follows, and as so amended, be referred to  
38 the Committee of the Whole with favorable  
39 recommendation:

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41 Amend printed bill, page 2, line 5, strike "IN" and substitute "FOR SCHOOL  
42 YEARS BEGINNING ON AND AFTER JULY 1, 2010, IN";

43

1 line 7, strike "AS A PHYSICAL EDUCATION" and substitute "TO TEACH ANY  
 2 PHYSICAL EDUCATION COURSE OR CLASS, AS DESIGNATED BY THE BOARD,  
 3 EXCEPT IN A JUNIOR COLLEGE DISTRICT OR IN AN ADULT EDUCATION  
 4 PROGRAM, UNLESS SUCH PERSON HAS A LICENSE ENDORSEMENT FOR  
 5 PHYSICAL EDUCATION ISSUED PURSUANT TO SECTION 22-60.5-106.

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7 (2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF  
 8 THIS SECTION, A SCHOOL DISTRICT MAY CONTRACT WITH A TEACHER TO  
 9 TEACH A PHYSICAL EDUCATION COURSE OR CLASS IF THE TEACHER:

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11 (a) HOLDS AN ALTERNATIVE TEACHER LICENSE PURSUANT TO  
 12 SECTION 22-60.5-201 (1) (a); OR

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14 (b) HOLDS A TEACHER IN RESIDENCE OR AN EMERGENCY  
 15 AUTHORIZATION PURSUANT TO SECTION 22-60.5-111; OR

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17 (c) IS HIRED TO TEACH IN A SCHOOL LOCATED IN A CITY OR TOWN  
 18 WITH A POPULATION OF LESS THAN FIVE THOUSAND PEOPLE ACCORDING TO  
 19 THE PREVIOUS DECENNIAL CENSUS.";

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21 strike lines 8 through 19.

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## CONSIDERATION OF RESOLUTION

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HJR06-1004 by Representative(s) King; also Senator(s) Grossman--  
 Concerning support for an application to participate in the  
 federal pilot program for use of a growth model to  
 measure students' academic achievement.

(Printed and placed in member's file.)

Representative King moved that the resolution be adopted.

Amendment No. 1, moved by Representative King.

Amend printed joint resolution, page 3, line 23, strike "achievement;" and  
 substitute "achievement, with the understanding that the costs incurred as  
 a result of participating in the pilot program, for the state and school  
 districts, will not exceed the costs that would otherwise be incurred in  
 complying with the "No Child Left Behind Act";";

line 25, strike "any" and substitute "reasonable and appropriate".

The amendment was declared **passed** by **viva voce** vote.

On motion of Representative King, the resolution as amended was  
**adopted** by **viva voce** vote.

Co-sponsors added: Representatives Benefield, Berens, Borodkin, Boyd,  
 Butcher, Cadman, Carroll M, Carroll T, Cerbo, Clapp, Cloer, Coleman, Crane,  
 Curry, Decker, Frangas, Gallegos, Garcia, Gardner, Green, Hall, Hefley, Jahn,  
 Kerr, Knoedler, Larson, Liston, Lundberg, Marshall, Massey, May, McCluskey,  
 McFadyen, McKinley, Merrifield, Paccione, Penry, Pommer, Ragsdale,  
 Riesberg, Rose, Schultheis, Solano, Soper, Stafford, Stengel, Todd, Vigil,  
 Welker, Witwer, and Speaker.

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

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## GENERAL ORDERS--SECOND READING OF BILLS

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

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

15

16 **HB06-1040** by Representative(s) Marshall, Coleman, Paccione; also  
17 Senator(s) Veiga--Concerning the sunset review of the  
18 functions of the division of insurance, and, in connection  
19 therewith, continuing the functions of the division relating  
20 to the issuance of certificates of authority for health and  
21 life insurers, adding the sunset review of the division's  
22 regulation of life insurance and health care coverage,  
23 broadening the sunset review of the regulation of property  
24 and casualty insurance, and requiring the division to track  
25 information pertaining to its compliance with the uniform  
26 certificate of authority application process.

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28 Ordered engrossed and placed on the Calendar for Third Reading and  
29 Final Passage.

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31 **HB06-1041** by Representative(s) Borodkin, Butcher, Carroll M.,  
32 Knoedler, Liston, Massey, Paccione; also Senator(s)  
33 Groff--Concerning continuation of the cost-benefit  
34 analysis of proposed rules.

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

38

39 **HB06-1025** by Representative(s) Carroll M.; also Senator(s)  
40 Hagedorn--Concerning concurrent legislative jurisdiction  
41 over the real property constituting the Buckley Air Force  
42 base.

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44 Ordered engrossed and placed on the Calendar for Third Reading and  
45 Final Passage.

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48 On motion of Representative Madden, the remainder of the General  
49 Orders Calendar (**HB06-1014, 1002, 1012**) was laid over until  
50 January 23, retaining place on Calendar.

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1       **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

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3 Passed Second Reading: **HB06-1040, 1041, 1025.**

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5 Laid over until date indicated retaining place on Calendar: **HB06-1014,**  
6 **1002, 1012**--January 23, 2006.

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

YES	62	NO	00	EXCUSED	03	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	E	Green	Y	Marshall	Y	Solano	Y
Butcher	Y	Hall	Y	Massey	Y	Soper	Y
Cadman	Y	Harvey	Y	May	E	Stafford	Y
Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
Cerbo	Y	Hoppe	E	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

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35       **INTRODUCTION OF RESOLUTION**

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37 The following resolution was read by title and laid over one day under the  
38 rules:

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40 **HJR06-1005** by Representative(s) Marshall, Hefley, Balmer, Benefield,  
41 Borodkin, Cerbo, Coleman, Larson, Madden, Paccione,  
42 Riesberg, Solano, Stafford--Concerning urging the  
43 Colorado cancer coalition to increase the public's  
44 awareness of the prevalence, causes, and prevention of  
45 cervical cancer, and, in connection therewith, recognizing  
46 Cervical Cancer Awareness Month.

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51       House in recess. House reconvened.

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**REPORT OF COMMITTEE OF REFERENCE****JUDICIARY**

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

**HB06-1077** be referred to the Committee of the Whole with favorable recommendation.

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

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

**HB06-1181** by Representative(s) Cerbo; also Senator(s) Tochtrop--  
Concerning county sheriffs, and, in connection therewith,  
limiting the power of a sheriff to revoke the appointment  
of a deputy at will and modifying the liability of a sheriff  
for certain acts.

Committee on Local Government

**HB06-1182** by Representative(s) Ragsdale--Concerning a limitation on  
the number of licenses issued for the sale of alcohol  
beverages in sealed containers for off-premises  
consumption.

Committee on Business Affairs and Labor

**HB06-1183** by Representative(s) Berens; also Senator(s) Tapia--  
Concerning land surveyors.

Committee on Local Government

**HB06-1184** by Representative(s) Crane, Cloer, Balmer, Berens,  
Cadman, Gardner, Hefley, Kerr, King, Knoedler, Larson,  
Liston, Massey, May M., McCluskey, Penry, Rose,  
Stafford, Stengel, Sullivan, Welker, White, Witwer--  
Concerning an increase in the amount of the actual value  
of the owner-occupied primary residence of a qualifying  
senior that is partly exempt from property taxation from  
two hundred thousand dollars to a specified amount.

Committee on Finance

**HB06-1185** by Representative(s) Curry, Borodkin, Lindstrom,  
Madden, McFadyen, Pommer, Sullivan, Lundberg,  
Merrifield, Weissmann--Concerning the provision of  
compensation to a surface owner for a decrease in fair  
market value of a surface estate reasonably expected to  
result from oil and gas operations, and, in connection  
therewith, modifying notification procedures for  
applications for surface development.

Committee on Transportation & Energy

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**INTRODUCTION OF RESOLUTION**

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

**HJR06-1006** by Representative(s) Madden; also Senator(s) Shaffer--  
Concerning the recognition of military and veterans appreciation day.

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**LAY OVER OF CALENDAR ITEMS**

On motion of Representative Garcia, the following item on the Calendar was laid over until January 23, retaining place on Calendar:

Consideration of Memorial--**HJM06-1001**.

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On motion of Representative Garcia, the House adjourned until 10:00 a.m., January 23, 2006.

Approved:  
ANDREW ROMANOFF,  
Speaker

Attest:  
MARILYN EDDINS,  
Chief Clerk