

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

Seventy-third Legislative Day

Friday, March 24, 2006

1 Prayer by Ernest House of the Ute Mountain Utes, Towaoc.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Joshua Williams, Dennison Elementary,
6 Lakewood.
7
8 The roll was called with the following result:
9
10 Present--62.
11 Vacancy--1.
12 Excused--Representative McGihon--1.
13 Absent--Representative Carroll T--1.
14 Present after roll call--Representatives Carroll T., McGihon.

15
16 The Speaker declared a quorum present.
17
18

19 On motion of Representative Massey, the reading of the journal of March
20 23, 2006, was declared dispensed with and approved as corrected by the
21 Chief Clerk.
22
23

24
25
26 **COMMUNICATIONS FROM THE SECRETARY OF STATE**

27
28 **STATE OF COLORADO**

29
30 **Department of**
31 **State**

32
33 **UNITED STATES OF AMERICA** **SS.** **Certificate**
34 **STATE OF COLORADO**

35
36 I, Gigi Dennis, Secretary of State of the State of Colorado, do hereby
37 certify that the attached is a true and exact copy of the Resignation from
38 office as filed in this office on the thirteenth day of March, 2006, by State
39 Representative Betty Boyd.
40
41
42

1 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
2 the Great Seal of the State of Colorado, at the City of Denver this
3 twenty fourth day of March, 2006.

4
5 (signed)
6 Gigi Dennis
7 Secretary of State

8
9
10 **STATE OF COLORADO**

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12
13 **Department of**
14 **State**

15
16 **UNITED STATES OF AMERICA** **SS.** **Certificate**
17 **STATE OF COLORADO**

18
19 I, Gigi Dennis, Secretary of State of the State of Colorado, do hereby
20 certify that the attached is a true and exact copy of the Designation of
21 Nomination by Vacancy Committee as filed in this office on the twenty
22 second day of March, 2006, by the Democratic 26th House District
23 Vacancy Committee, designating the appointment of Andrew S. Kerr to
24 fill the vacancy in the office of the Colorado State House of
25 Representatives, District 26, for the Sixty-fifth General Assembly of the
26 State of Colorado, caused by the resignation of the Honorable Betty A.
27 Boyd.

28
29 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
30 the Great Seal of the State of Colorado, at the City of Denver this twenty
31 fourth day of March, 2006.

32
33 (signed)
34 Gigi Dennis
35 Secretary of State

36
37
38 **STATE OF COLORADO**

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40
41 **Department of**
42 **State**

43
44 **UNITED STATES OF AMERICA** **SS.** **Certificate**
45 **STATE OF COLORADO**

46
47 I, Gigi Dennis, Secretary of State of the State of Colorado, do hereby
48 certify that the attached is a true and exact copy of the Acceptance of
49 Designation to Fill a Vacancy in Office as filed in this office on the
50 twenty second day of March, 2006, by Andrew S. Kerr, accepting the
51 appointment of the Democratic 26th House District Vacancy Committee,
52 to fill the vacancy in the office of Colorado State House of
53 Representatives, District 26, for the Sixty-fifth General Assembly of the
54 State of Colorado, caused by the resignation of the Honorable Betty
55 Boyd.

1 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
2 the Great Seal of the State of Colorado, at the City of Denver this twenty
3 fourth day of March, 2006.

4
5 (signed)
6 Gigi Dennis
7 Secretary of State

8
9
10

11 REPORT OF THE COMMITTEE ON CREDENTIALS

12

13 The Committee on Credentials has made an examination and finds that
14 the certificate of the Democratic Vacancy Committee for the 26th
15 Representative District, State of Colorado, naming Andrew S. Kerr
16 certified by the Secretary of State of the state of Colorado, is a true,
17 complete and authentic certificate. Andrew S Kerr is entitled to
18 membership in this body pursuant to law in such case made and
19 provided.

20

21 (signed)
22 Alice Madden, Chairman
23 Michael Garcia
24 Michael May

25

26

27 Representative Madden moved that the report of the Committee on
28 Credentials be adopted.

29

30 The report was adopted by **viva voce** vote.

31

32

33 The Speaker called for the escort committee comprised of
34 Representatives Borodkin, Jahn, Gardner to wait upon Justice Michael
35 Bender to request him to administer the oath of office to
36 Representative-elect Andrew Kerr.

37

38 Chief Sergeant-at-arms Suman announced the arrival of Justice Bender.

39

40 The committee escorted the Justice to the podium where, at 9:30 a.m.,
41 March 24, 2006, he administered the oath of office to Andrew S. Kerr,
42 as certified by the Secretary of State.

43

44 The committee escorted Justice Michael Bender from the Chamber.

45

46

47 The Speaker ordered Representative Andrew Kerr's name be added to the
48 roll call of the House.

49

50

51

52 APPOINTMENTS

53

54 Due to the resignation of Representative Boyd, the Speaker announced
55 the following changes in committee assignments:

56

1 Committee on Health & Human Services
2 Representative A. Kerr to replace Representative Boyd
3 Committee on Judiciary
4 Representative A. Kerr to replace Representative Boyd

5
6
7 On motion of Representative Madden, **SB06-113, HB06-1344, 1352,**
8 **1257, 1006, SB06-199** were added to the Special Orders Calendar on
9 Friday, March 24, 2006.

10
11
12 On motion of Representative Paccione, the House resolved itself into
13 Committee of the Whole for consideration of Special Orders and she was
14 called to the Chair to act as Chairman.

15
16
17
18 **SPECIAL ORDERS--SECOND READING OF BILLS**

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

24
25 (Amendments to the committee amendment are to the printed committee
26 report which was printed and placed in the members' bill file.)

27
28 **SB06-113** by Senator(s) Shaffer, Gordon; also Representative(s)
29 Massey, Borodkin, Crane, Penry--Concerning a
30 prohibition on discrimination by a life insurance company
31 based on an insured's foreign travel.

32
33 Amendment No. 1, Business Affairs & Labor, Report, dated March 22,
34 2006, and placed in member's bill file; Report also printed in House
35 Journal, March 23, pages 879-880.

36
37 As amended, ordered revised and placed on the Calendar for Third
38 Reading and Final Passage.

39
40 **HB06-1344** by Representative(s) Plant, Madden; also Senator(s) Fitz-
41 Gerald--Concerning authorization of domestic partnerships
42 between same-sex couples, and, in connection therewith,
43 creating the "Colorado Domestic Partnership Benefits and
44 Responsibilities Act" to extend benefits, protections, and
45 responsibilities to such couples.

46
47 Amendment No. 1, Appropriations, Report, dated March 23, 2006, and
48 placed in member's bill file; Report also printed in House Journal, March
49 23, page 879.

50
51 Amendment No. 2, by Representative Plant.

52
53 Amend printed bill, page 17, strike lines 10 through 18 and substitute the
54 following:

55
56 "law either "Yes" or "No" on the proposition: "SHALL THERE BE AN

1 AMENDMENT TO THE COLORADO REVISED STATUTES TO AUTHORIZE
 2 DOMESTIC PARTNERSHIPS, AND, IN CONNECTION THEREWITH, ENACTING
 3 THE "COLORADO DOMESTIC PARTNERSHIP BENEFITS AND
 4 RESPONSIBILITIES ACT" TO EXTEND TO SAME-SEX COUPLES IN A DOMESTIC
 5 PARTNERSHIP THE BENEFITS, PROTECTIONS, AND RESPONSIBILITIES THAT
 6 ARE GRANTED BY COLORADO LAW TO SPOUSES, AND PROVIDING THE
 7 CONDITIONS UNDER WHICH A LICENSE FOR A DOMESTIC PARTNERSHIP MAY
 8 BE ISSUED AND THE CRITERIA UNDER WHICH A DOMESTIC PARTNERSHIP
 9 MAY BE DISSOLVED, AND MAKING PROVISIONS FOR IMPLEMENTATION OF
 10 THE ACT?" The votes cast for the".

11
 12 As amended, ordered engrossed and placed on the Calendar for Third
 13 Reading and Final Passage.

14
 15 On motion of Representative Madden, the remainder of the Special
 16 Orders Calendar (**HB06-1280, SB06-106, HB06-1006, SB06-199,**
 17 **HB06-1352, 1257**) was laid over until later in the day retaining place on
 18 Calendar.

19
 20

21
 22 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

23
 24 Representative King moved to amend the Report of the Committee of the
 25 Whole to show that the following King amendment, to HB06-1344, did
 26 pass, and that **HB06-1344**, as amended, did pass.

27
 28 Amend printed bill, page 3, strike line 1.

29
 30 The amendment was declared **lost** by the following roll call vote:

31

	YES	26	NO	38	EXCUSED	01	ABSENT	00
33	Balmer	Y	Decker	Y	Larson	N	Pommer	N
34	Benefield	N	Frangas	N	Lindstrom	N	Ragsdale	N
35	Berens	Y	Gallegos	N	Liston	Y	Riesberg	N
36	Borodkin	N	Garcia	N	Lundberg	Y	Rose	Y
37	Kerr A	N	Gardner	Y	Madden	N	Schultheis	Y
38	Buescher	Y	Green	N	Marshall	N	Solano	N
39	Butcher	N	Hall	Y	Massey	Y	Soper	N
40	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
41	Carroll M	N	Hefley	Y	McCluskey	N	Stengel	Y
42	Carroll T	N	Hodge	N	McFadyen	N	Sullivan	Y
43	Cerbo	N	Hoppe	Y	McGihon	N	Todd	N
44	Clapp	Y	Jahn	N	McKinley	N	Vigil	N
45	Cloer	E	Judd	N	Merrifield	N	Weissmann	N
46	Coleman	N	Kerr	Y	Paccione	N	Welker	Y
47	Crane	Y	King	Y	Penry	Y	White	N
48	Curry	N	Knoedler	Y	Plant	N	Witwer	N
49							Speaker	N

50

51 Representatives King and May moved to amend the Report of the
 52 Committee of the Whole to show that **HB06-1344** was laid over until
 53 March 27, 2006.

54

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

56

	YES	26	NO	38	EXCUSED	01	ABSENT	00
1	Balmer	Y	Decker	Y	Larson	N	Pommer	N
2	Benefield	N	Frangas	N	Lindstrom	N	Ragsdale	N
3	Berens	Y	Gallegos	N	Liston	Y	Riesberg	N
4	Borodkin	N	Garcia	N	Lundberg	Y	Rose	Y
5	Kerr A	N	Gardner	Y	Madden	N	Schultheis	Y
6	Buescher	Y	Green	N	Marshall	N	Solano	N
7	Butcher	N	Hall	Y	Massey	Y	Soper	N
8	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
9	Carroll M	N	Hefley	Y	McCluskey	N	Stengel	Y
10	Carroll T	N	Hodge	N	McFadyen	N	Sullivan	Y
11	Cerbo	N	Hoppe	Y	McGihon	N	Todd	N
12	Clapp	Y	Jahn	N	McKinley	N	Vigil	N
13	Cloer	E	Judd	N	Merrifield	N	Weissmann	N
14	Coleman	N	Kerr J	Y	Paccione	N	Welker	Y
15	Crane	Y	King	Y	Penry	Y	White	N
16	Curry	N	Knoedler	Y	Plant	N	Witwer	N
17							Speaker	N

18
19
20 Representatives Penry, May, Gardner, Crane, Liston, Balmer, Lundberg,
21 Rose, Clapp, Stafford, Decker, Hefley, Hall, and King moved to amend
22 the Report of the Committee of the Whole to show that the following
23 Penry amendment, to HB06-1344, did pass, and that **HB06-1344**, as
24 amended, was laid over until March 27, 2006.

25
26 Amend printed bill, page 7, strike line 12.

27
28 Reletter succeeding paragraphs accordingly.

29
30 The amendment was declared **lost** by the following roll call vote:

	YES	28	NO	36	EXCUSED	01	ABSENT	00
33	Balmer	Y	Decker	Y	Larson	N	Pommer	N
34	Benefield	N	Frangas	N	Lindstrom	N	Ragsdale	N
35	Berens	Y	Gallegos	N	Liston	Y	Riesberg	N
36	Borodkin	N	Garcia	N	Lundberg	Y	Rose	Y
37	Kerr A	N	Gardner	Y	Madden	N	Schultheis	Y
38	Buescher	Y	Green	N	Marshall	N	Solano	N
39	Butcher	N	Hall	Y	Massey	Y	Soper	N
40	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
41	Carroll M	N	Hefley	Y	McCluskey	Y	Stengel	Y
42	Carroll T	N	Hodge	N	McFadyen	N	Sullivan	Y
43	Cerbo	N	Hoppe	Y	McGihon	N	Todd	N
44	Clapp	Y	Jahn	N	McKinley	N	Vigil	N
45	Cloer	E	Judd	N	Merrifield	N	Weissmann	N
46	Coleman	N	Kerr J	Y	Paccione	N	Welker	Y
47	Crane	Y	King	Y	Penry	Y	White	N
48	Curry	N	Knoedler	Y	Plant	N	Witwer	Y
49							Speaker	N

50
51
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55

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

2
3 Passed Second Reading: **SB06-113 amended, HB06-1344 amended.**

4
5 Laid over until date indicated retaining place on Calendar: **HB06-1280,**
6 **SB06-106, HB06-1006, SB06-199, HB06-1352, 1257**--Later in the day,
7 March 24, 2006.

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

	YES	41	NO	23	EXCUSED	01	ABSENT	00
15	Balmer	N	Decker	N	Larson	Y	Pommer	Y
16	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
17	Berens	N	Gallegos	Y	Liston	N	Riesberg	Y
18	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	N
19	Boyd	Y	Gardner	N	Madden	Y	Schultheis	N
20	Buescher	N	Green	Y	Marshall	Y	Solano	Y
21	Butcher	Y	Hall	N	Massey	Y	Soper	Y
22	Cadman	N	Harvey	N	May	N	Stafford	N
23	Carroll M	Y	Hefley	N	McCluskey	Y	Stengel	N
24	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	N
25	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
26	Clapp	N	Jahn	Y	McKinley	Y	Vigil	Y
27	Cloer	E	Judd	Y	Merrifield	Y	Weissmann	Y
28	Coleman	Y	Kerr	N	Paccione	Y	Welker	N
29	Crane	Y	King	N	Penry	N	White	Y
30	Curry	Y	Knoedler	N	Plant	Y	Witwer	Y
31							Speaker	Y

32
33
34
35 On motion of Representative Paccione, the House resolved itself into
36 Committee of the Whole for continuation of consideration of Special
37 Orders, and she returned to the Chair to act as Chairman.

38
39
40 **SPECIAL ORDERS--SECOND READING OF BILLS**

41
42 **HB06-1006** by Representative(s) Butcher--Concerning referral by an
43 insurance company of an insured to a personal property
44 repair business.

45
46 Amendment No. 1, Business Affairs & Labor Report, dated January 25,
47 2006, and placed in member's bill file; Report also printed in House
48 Journal, January 26, page 99.

49
50 Amendment No. 2, Appropriations Report, dated March 23, 2006, and
51 placed in member's bill file; Report also printed in House Journal, March
52 23, page 878.

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

56

1 **SB06-199** by Senator(s) Sandoval; also Representative(s) Rose--
 2 Concerning the child care licensing act.
 3

4 Ordered revised and placed on the Calendar for Third Reading and Final
 5 Passage.
 6

7 On motion of Representative Madden, the remainder of the Special
 8 Orders Calendar (**HB06-1280, SB06-106, HB06-1352, 1257**) was laid
 9 over until March 27, retaining place on Calendar.
 10

11
 12 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**
 13

14 Passed Second Reading: **HB06-1006 amended, SB06-199.**

15
 16 Laid over until date indicated retaining place on Calendar: **HB06-1280,**
 17 **SB06-106, HB06-1352, 1257--**March 27, 2006.
 18

19 The Chairman moved the adoption of the Committee of the Whole
 20 Report. As shown by the following roll call vote, a majority of those
 21 elected to the House voted in the affirmative, and the Report was
 22 **adopted.**
 23

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
Kerr A	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	E	Judd	Y	Merrifield	Y	Weissmann	Y
Coleman	E	Kerr J	Y	Paccione	Y	Welker	Y
Crane	Y	King	Y	Penry	Y	White	Y
Curry	Y	Knoedler	Y	Plant	E	Witwer	Y
						Speaker	Y

44 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**
 45

46 **HB06-1295** by Representative(s) Hodge; also Senator(s) Hanna--
 47 Concerning the salaries of county officers, and, in
 48 connection therewith, implementing the recommendations
 49 of the county elected officials' salary commission.
 50

51 (Amended as printed in Senate Journal, March 20, pages 545.)
 52

53 Representative Hodge moved that the House **concur** in Senate
 54 amendments. A substitute motion by Representative White that the
 55 House **not concur** in Senate amendments and that a Conference
 56 Committee be appointed was declared **lost** by the following roll call vote:

	YES	30	NO	31	EXCUSED	04	ABSENT	00
1								
2	Balmer	Y	Decker	Y	Larson	Y	Pommer	E
3	Benefield	N	Frangas	N	Lindstrom	N	Ragsdale	N
4	Berens	Y	Gallegos	N	Liston	Y	Riesberg	N
5	Borodkin	N	Garcia	N	Lundberg	Y	Rose	Y
6	Kerr A	N	Gardner	Y	Madden	N	Schultheis	Y
7	Buescher	N	Green	N	Marshall	N	Solano	N
8	Butcher	N	Hall	Y	Massey	N	Soper	N
9	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
10	Carroll M	N	Hefley	Y	McCluskey	Y	Stengel	Y
11	Carroll T	N	Hodge	N	McFadyen	N	Sullivan	Y
12	Cerbo	N	Hoppe	Y	McGihon	N	Todd	N
13	Clapp	Y	Jahn	N	McKinley	Y	Vigil	N
14	Cloer	E	Judd	N	Merrifield	N	Weissmann	Y
15	Coleman	E	Kerr J	Y	Paccione	N	Welker	Y
16	Crane	Y	King	Y	Penry	Y	White	Y
17	Curry	N	Knoedler	Y	Plant	E	Witwer	Y
18							Speaker	N

19
20 Representative Hodge's motion that the House **concur** in Senate
21 amendments was declared **passed** by the following roll call vote:

	YES	34	NO	30	EXCUSED	01	ABSENT	00
23								
24	Balmer	N	Decker	N	Larson	N	Pommer	Y
25	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
26	Berens	N	Gallegos	Y	Liston	N	Riesberg	Y
27	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	N
28	Kerr A	Y	Gardner	N	Madden	Y	Schultheis	N
29	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
30	Butcher	Y	Hall	N	Massey	Y	Soper	Y
31	Cadman	N	Harvey	N	May	N	Stafford	N
32	Carroll M	Y	Hefley	N	McCluskey	N	Stengel	N
33	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	N
34	Cerbo	Y	Hoppe	N	McGihon	Y	Todd	Y
35	Clapp	N	Jahn	Y	McKinley	N	Vigil	Y
36	Cloer	E	Judd	Y	Merrifield	Y	Weissmann	N
37	Coleman	Y	Kerr J	N	Paccione	Y	Welker	N
38	Crane	N	King	N	Penry	N	White	N
39	Curry	Y	Knoedler	N	Plant	Y	Witwer	N
40							Speaker	Y

41
42 The question being, "Shall the bill, as amended, pass?".
43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative, and the
45 bill, as amended, was declared **repassed**.

	YES	34	NO	30	EXCUSED	01	ABSENT	00
47								
48	Balmer	N	Decker	N	Larson	Y	Pommer	Y
49	Benefield	Y	Frangas	N	Lindstrom	Y	Ragsdale	Y
50	Berens	Y	Gallegos	N	Liston	N	Riesberg	Y
51	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	N
52	Kerr A	Y	Gardner	N	Madden	Y	Schultheis	N
53	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
54	Butcher	Y	Hall	N	Massey	Y	Soper	Y
55	Cadman	N	Harvey	Y	May	Y	Stafford	N
56	Carroll M	Y	Hefley	N	McCluskey	N	Stengel	N

1	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
2	Cerbo	Y	Hoppe	N	McGihon	Y	Todd	Y
3	Clapp	N	Jahn	Y	McKinley	N	Vigil	Y
4	Cloer	E	Judd	Y	Merrifield	N	Weissmann	N
5	Coleman	Y	Kerr J	N	Paccione	N	Welker	N
6	Crane	N	King	N	Penry	N	White	N
7	Curry	N	Knoedler	N	Plant	Y	Witwer	N
8							Speaker	Y

9
10 **HB06-1087** by Representative(s) Larson and Rose; also Senator(s)
11 Isgar--Concerning the classification of Montezuma county
12 for purposes of fixing the salaries of county officers.

13
14 (Amended as printed in Senate Journal, March 14.)

15
16 Representative Larson moved that the House **concur** in Senate
17 amendments. The motion was declared **passed** by the following roll call
18 vote:

20	YES	48	NO	15	EXCUSED	02	ABSENT	00
21	Balmer	Y	Decker	N	Larson	Y	Pommer	E
22	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
23	Berens	Y	Gallegos	Y	Liston	N	Riesberg	Y
24	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
25	Kerr A	Y	Gardner	N	Madden	Y	Schultheis	N
26	Buescher	N	Green	Y	Marshall	Y	Solano	Y
27	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
28	Cadman	N	Harvey	N	May	N	Stafford	Y
29	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
30	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
31	Cerbo	Y	Hoppe	N	McGihon	Y	Todd	Y
32	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
33	Cloer	E	Judd	Y	Merrifield	Y	Weissmann	Y
34	Coleman	Y	Kerr J	Y	Paccione	Y	Welker	N
35	Crane	N	King	N	Penry	N	White	Y
36	Curry	Y	Knoedler	N	Plant	Y	Witwer	Y
37							Speaker	Y

38
39 The question being, "Shall the bill, as amended, 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
42 bill, as amended, was declared **repassed**.

44	YES	42	NO	21	EXCUSED	02	ABSENT	00
45	Balmer	N	Decker	N	Larson	Y	Pommer	E
46	Benefield	Y	Frangas	N	Lindstrom	Y	Ragsdale	Y
47	Berens	Y	Gallegos	Y	Liston	N	Riesberg	Y
48	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
49	Kerr A	Y	Gardner	N	Madden	Y	Schultheis	N
50	Buescher	N	Green	Y	Marshall	Y	Solano	Y
51	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
52	Cadman	N	Harvey	N	May	N	Stafford	N
53	Carroll M	Y	Hefley	N	McCluskey	Y	Stengel	Y
54	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
55	Cerbo	Y	Hoppe	N	McGihon	Y	Todd	Y
56	Clapp	N	Jahn	Y	McKinley	Y	Vigil	Y

1	Cloer	E	Judd	Y	Merrifield	Y	Weissmann	N
2	Coleman	Y	Kerr J	Y	Paccione	Y	Welker	N
3	Crane	N	King	N	Penry	N	White	Y
4	Curry	Y	Knoedler	N	Plant	Y	Witwer	Y
5							Speaker	Y

6 Co-sponsor added: Representative Liston.

7
8
9 **REPORTS OF COMMITTEES OF REFERENCE**

10
11 **BUSINESS AFFAIRS & LABOR**

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

14
15 **SB06-071** be referred to the Committee of the Whole with favorable
16 recommendation.

17
18
19
20
21 **EDUCATION**

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

24
25 **SB06-152** be amended as follows, and as so amended, be referred to
26 the Committee on Appropriations with favorable
27 recommendation:

28
29 Amend reengrossed bill, page 2, line 23, strike "THE" and substitute "IF
30 THE BOARD OF TRUSTEES VOTES TO INVEST MESA STATE COLLEGE'S
31 ASSETS PURSUANT TO SECTIONS 23-53-103.3 TO 23-53-103.5, THEN THE".

32
33 Page 4, line 21, strike "THE" and substitute "IF THE BOARD OF TRUSTEES
34 VOTES TO INVEST MESA STATE COLLEGE'S ASSETS PURSUANT TO SECTIONS
35 23-53-103.3 TO 23-53-103.5, THEN THE".

36
37 Page 5, line 22, strike "THE" and substitute "IF THE";

38
39 line 23, after "MINES", insert "VOTES TO INVEST THE COLORADO SCHOOL
40 OF MINES' ASSETS PURSUANT TO SECTIONS 23-41-103.6 TO 23-41-103.8,
41 THEN THE BOARD OF TRUSTEES".

42
43 Page 7, line 19, strike "THE" and substitute "IF THE BOARD OF TRUSTEES
44 VOTES TO INVEST THE COLORADO SCHOOL OF MINES' ASSETS PURSUANT TO
45 SECTIONS 23-41-103.6 TO 23-41-103.8, THEN THE".

46
47
48
49
50 **FINANCE**

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

53
54 **HB06-1330** be amended as follows, and as so amended, be referred to
55 the Committee on Appropriations with favorable
56 recommendation:

1 Amend the Business Affairs and Labor Committee Report, dated March
2 22, 2006, page 1, strike lines 3 through 11.

3

4 Renumber succeeding sections accordingly.

5

6 Page 1 of the committee report, line 12, strike "**SECTION**" and substitute
7 "**SECTION**".

8

9

10

11 **HB06-1363** be amended as follows, and as so amended, be referred to
12 the Committee on Appropriations with favorable
13 recommendation:

14

15 Amend the Heath and Human Services Committee Report, dated March
16 15, 2006, page 1, line 11, strike ""THE BOARD" and substitute ""IN
17 ADDITION, THE BOARD SHALL ALLOCATE TO GRANTS AWARDED THROUGH
18 THE DELINQUENCY PREVENTION PROGRAM THIRTY PERCENT OF THE
19 AMOUNT ANNUALLY APPROPRIATED FOR THE 2006-07 FISCAL YEAR AND
20 FISCAL YEARS THEREAFTER TO THE DIVISION FOR THE TONY GRAMPAS
21 YOUTH SERVICES PROGRAM PURSUANT TO SECTION 25-20.5-201 (1) (c).
22 THE BOARD";

23

24 line 14 of the committee report, strike "SOURCES." and substitute
25 "SOURCES."";

26

27 strike lines 15 through 17 of the committee report and substitute the
28 following:

29

30 "after line 21, insert the following:

31

32 "(c) IN AWARDING GRANTS THROUGH THE DELINQUENCY
33 PREVENTION PROGRAM, THE DIVISION SHALL ENSURE THAT AT LEAST
34 FIFTEEN PERCENT OF THE TOTAL AMOUNT ANNUALLY AVAILABLE TO
35 AWARD THROUGH THE DELINQUENCY PREVENTION PROGRAM IS AWARDED
36 TO ENTITIES OPERATING BEFORE-AND-AFTER SCHOOL PROGRAMS IN
37 UNDERSERVED COMMUNITIES."

38

39 Page 8, line 2, strike "OFFENSE," and substitute "OFFENSE OR";

40

41 line 3, strike "OFFENSE, OR A MISDEMEANOR TRAFFIC";

42

43 strike lines 8 and 9 and substitute the following:

44

45 "CONSTITUTE A FELONY OFFENSE OR A MISDEMEANOR OFFENSE IF
46 COMMITTED BY AN ADULT."

47

48

49 Page 9, line 9, strike "HAS ALSO" and substitute "FINDS THAT THE
50 DEFENDANT IS INDIGENT OR UNABLE TO PAY THE AMOUNT OF THE
51 SURCHARGE."";

52

53 strike lines 10 through 13;";

54

55 line 18 of the committee report, strike ""(i.7)." and substitute ""(i.7).";";

56

1 after line 18 of the committee report, insert the following:

2

3 "strike lines 22 through 27.

4

5 Page 10, strike lines 1 through 24.

6

7 Renumber succeeding section accordingly."

8

9

10

11

12 **JUDICIARY**

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

15

16 **HB06-1376** be postponed indefinitely.

17

18

19 **HB06-1379** be amended as follows, and as so amended, be referred to
20 the Committee of the Whole with favorable
21 recommendation:

22

23 Amend printed bill, page 2, line 22, strike "AN ANNUAL TRAINING,
24 EDUCATION," and substitute "ANNUAL TRAINING FOR DISTRICT
25 ATTORNEYS, VICTIMS";

26

27 strike line 23;

28

29 line 25, strike "ENFORCEMENT AGENCIES" and substitute "ENFORCEMENT
30 PERSONNEL";

31

32 strike line 26 and substitute the following:

33

34 "PROTECTION.";

35

36 strike line 27 and substitute the following:

37

38 "THE WITNESS PROTECTION BOARD SHALL DEVELOP PROGRAM MATERIALS,
39 INCLUDING A MODEL WITNESS PROTECTION RISK ASSESSMENT
40 INSTRUMENT, WHICH SHALL BE MADE AVAILABLE TO COLORADO'S
41 DISTRICT ATTORNEYS AND LAW ENFORCEMENT AGENCIES.".

42

43 Page 3, strike line 1.

44

45 **HB06-1380** be amended as follows, and as so amended, be referred to
46 the Committee on Appropriations with favorable
47 recommendation:

48

49 Amend printed bill, page 2, strike lines 2 through 11.

50

51 Renumber succeeding sections accordingly.

52

53 Page 6, strike line 9 and substitute the following:

54

55 "(V) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF
56 DISTRICT ATTORNEYS; AND";

1 after line 14, insert the following:

2

3 "(4) THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE
4 HOUSE OF REPRESENTATIVES SHALL JOINTLY SELECT A CHAIRPERSON FROM
5 THE APPOINTED PERSONS DESCRIBED IN SUBSECTION (3) OF THIS SECTION,
6 AND SUCH CHAIRPERSON SHALL CALL THE FIRST MEETING OF THE TASK
7 FORCE."

8

9 Renumber succeeding subsections accordingly.

10

11

12

13 **SB06-177** be amended as follows, and as so amended, be referred to
14 the Committee of the Whole with favorable
15 recommendation:

16

17 Amend reengrossed bill, page 4, line 21, after "(g)", insert "(1) (h)".

18

19 Page 5, line 5, strike "AND (2) (e.5)." and substitute "(2) (e.5), (2) (k.5),
20 (2) (n), (2) (p), AND (2) (q)."

21

22 Page 6, after line 16, insert the following:

23

24 "(h) The right to have the court determine the amount, if any, of
25 restitution to be paid to a victim pursuant to ~~article 18.5 of title 16~~ PART
26 6 OF ARTICLE 1.3 OF TITLE 18, C.R.S., by any person convicted of a crime
27 against such victim for the actual pecuniary damages that resulted from
28 the commission of the crime;"

29

30 Page 8, strike lines 20 and 21 and substitute the following:

31

32 "THE STATUS OF THE CASE. IN ADDITION, THE LAW ENFORCEMENT AGENCY
33 SHALL PROVIDE AN UPDATE AT LEAST ANNUALLY TO THE VICTIM
34 CONCERNING THE STATUS OF A COLD CASE INVOLVING ONE OR MORE
35 CRIMES FOR WHICH THE CRIMINAL STATUTE OF LIMITATIONS IS LONGER
36 THAN THREE YEARS."

37

38 Page 9, line 1, strike "(a) and 11(b)," and substitute "(a), (11) (b), and (11)
39 (d),";

40

41 strike lines 7 through 11 and substitute the following:

42 "including an explanation of the charges when necessary; OR A FINAL
43 DECISION NOT TO FILE FELONY CHARGES AGAINST A PERSON FOR WHOM
44 LAW ENFORCEMENT HAS REQUESTED, PURSUANT TO SECTION 16-21-103
45 (2) (a), C.R.S., THE FILING OF CHARGES FOR ANY OF THE CRIMES SPECIFIED
46 IN SECTION 24-4.1-302 (1) COMMITTED AGAINST THE VICTIM UNLESS LAW
47 ENFORCEMENT AND THE";

48

49 line 16, after "(j)", insert "AND (2) (l)";

50

51 after line 19, insert the following:

52

53 "(d) The date, time, and place of ~~all~~ ANY OF THE critical stages
54 SPECIFIED IN SECTION 24-4.1-302 (2) (a) TO (2) (j) AND (2) (l) of the
55 proceeding;"

56

1 **SB06-192** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **PRINTING REPORT**

6
7 The Chief Clerk reports the following bill has been correctly printed:
8 **HB06-1383**.
9

10
11 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

12
13 The Speaker has signed: **SB06-005, 006, 032, 033, 039, 053, 056, 074,**
14 **078, 079, 093, 095, 107, 108, 140, 160, 180**.
15

16
17 House in recess. House reconvened.
18

19
20 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

21
22 The Speaker has signed: **HB06-1242, 1320, 1341; HJR06-1013**.
23

24
25 **DELIVERY OF BILLS TO GOVERNOR**

26
27 The Chief Clerk of the House of Representatives reports the following
28 bills have been delivered to the Office of the Governor: **HB06-1059,**
29 **1328** at 2:49 p.m., on March 24, 2006.
30

31
32 **MESSAGES FROM THE SENATE**

33
34 The Senate has postponed indefinitely HB06-1053. The bill is returned
35 herewith.

36 The Senate has passed on Third Reading and returns herewith
37 HB06-1010, 1056, 1122, 1237.

38 The Senate has passed on Third Reading and transmitted to the Revisor
39 of Statutes: SB06-203, 197.
40

41 SB06-205 amended as printed in Senate Journal, March 17, 2006,
42 page 524,

43 SB06-204 amended as printed in Senate Journal, March 17, 2006,
44 pages 524-525,

45 HB06-1095 amended as printed in Senate Journal, March 17, 2006,
46 pages 516 and 517 and March 17, 2006, page 527,

47 HB06-1174 amended as printed in Senate Journal, March 9, 2006,
48 pages 444 and 448,

49 HB06-1137 amended as printed in Senate Journal, March 21, 2006,
50 page 563, and on Third Reading, March 24, 2006, as printed
51 in the Senate Journal,

52 HB06-1088 amended as printed in Senate Journal, March 21, 2006,
53 pages 563-564,
54

55 Due to the resignation of Senator Hanna, the President announced the
56 following changes in sponsorship:

1 Senator Shaffer will be the prime sponsor on SB 06-020,
2 Senator Takis will be the prime sponsor on SB 06-023,
3 Senator Hagedorn will be the prime sponsor on SB 06-047,
4 Senator Shaffer will be the prime sponsor on SB 06-067,
5 Senator Shaffer will be the prime sponsor on SB 06-208,
6 Senator Takis will be the prime sponsor on HB 06-1046,
7 Senator Shaffer will be the prime sponsor on HB 06-1154.

8
9
10 The Senate has passed on Third Reading and transmitted to the Revisor
11 of Statutes:

12
13 HB06-1190 amended as printed in Senate Journal, March 21, 2006,
14 page-564

15
16
17 **MESSAGE FROM THE REVISOR**

18
19 We herewith transmit:
20 Without comment, SB06-203 and 197.
21 Without comment, as amended, HB06-1095, 1174, 1137, 1088 and 1190.
22 Without comment, as amended, SB06-205 and 204.

23
24
25 **INTRODUCTION OF BILLS**
26 **First Reading**

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

30
31 **HB06-1384** by Representative(s) Buescher, McFadyen, Butcher; also
32 Senator(s) Tapia--Concerning the expenditure of moneys
33 from the Colorado travel and tourism promotion fund to
34 benefit the Colorado state fair.

35 Committee on Agriculture, Livestock, & Natural Resources

36
37 **HB06-1385** by Representative(s) Plant, Buescher, Hall; also Senator(s)
38 Tapia, Keller, Owen--Concerning the provision for payment
39 of the expenses of the executive, legislative, and judicial
40 departments of the state of Colorado, and of its agencies
41 and institutions, for and during the fiscal year beginning
42 July 1, 2006, except as otherwise noted.

43 Committee on Appropriations

44
45 **HB06-1386** by Representative(s) Plant, Buescher, Hall; also Senator(s)
46 Tapia, Keller, Owen--Concerning transfers of money to the
47 capital construction fund.

48 Committee on Appropriations

49
50 **SB06-197** by Senator(s) Isgar; also Representative(s) Curry--
51 Concerning an extension of the period during which the
52 voluntary contribution designation benefiting the nongame
53 and endangered wildlife cash fund shall appear on the state
54 individual income tax return forms.

55 Committee on Finance

56

- 1 **SB06-203** by Senator(s) Windels; also Representative(s) Madden--
2 Concerning the requirement that the Colorado commission
3 on higher education comply with the "State Administrative
4 Procedure Act".
5 Committee on Education
6
7 **SB06-204** by Senator(s) Windels; also Representative(s) Madden--
8 Concerning appointments to the governing boards of state
9 institutions of higher education.
10 Committee on Education
11
12 **SB06-205** by Senator(s) Windels; also Representative(s) Madden--
13 Concerning the membership requirements of boards created
14 in the department of higher education.
15 Committee on Education
16

17
18
19 Correction
20

21 H.J. page 885, line 26, strike "1155" and substitute "1073";
22 line 27, strike "1309" and substitute "1192".
23
24

25
26 **LAY OVER OF CALENDAR ITEMS**
27

28 On motion of Representative Madden, the following items on the
29 Calendar were laid over until March 27, retaining place on Calendar:
30

- 31 Consideration of Third Reading--**HB06-1176, SB06-112, 042, 119, 025,**
32 **060, 041, 137, 023.**
33 Consideration of General Orders--**SB06-115, 051, HB06-1096, 1314,**
34 **HCR06-1001, SB06-067, HB06-1322, SB06-114, 066.**
35 Consideration of Resolutions--**HJR06-1016, 1019, 1020, HR06-1007,**
36 **1008, SJR06-013, 018.**
37 Consideration of Memorial--**SJM06-002.**
38 Consideration of Senate Amendments--**HB06-1125, 1287, 1318,**
39 **HJR06-1017.**
40 Consideration of Governor's Veto--**HJR06-1216.**
41
42

43
44 On motion of Representative Butcher, the House adjourned until
45 10:00 a.m., March 27, 2006.
46

47 Approved:
48 ANDREW ROMANOFF,
49 Speaker

50 Attest:
51 MARILYN EDDINS,
52 Chief Clerk