

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

Fifty-second Legislative Day

Friday, March 3, 2006

1 Prayer by Father Tom Carzon, Holy Ghost Church, Denver.

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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 Lindstrom.

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7 The roll was called with the following result:

8

9 Present--59.

10 Excused--Representatives King, Madden, Marshall, Stengel,

11 Todd--5.

12 Absent--Representative Plant--1.

13 Present after roll call--Representatives Madden, Plant.

14

15 The Speaker declared a quorum present.

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17

18 On motion of Representative Gallegos, the reading of the journal of  
19 March 2, 2006, was declared dispensed with and approved as corrected  
20 by the Chief Clerk.

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**APPOINTMENTS**

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27 Pursuant to House rule 49, the Speaker announced the appointments of  
28 Representatives Weissmann, Chairman, Hefley, Vice-Chairman, Boyd,  
29 T. Carroll, Hoppe to the Committee on Ethics.

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**SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

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36 The Speaker has signed: **SJR06-002**.

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House in recess. House reconvened.

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**REPORTS OF COMMITTEES OF REFERENCE****APPROPRIATIONS**

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

**HB06-1132** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 6, after line 20, insert the following:

**"SECTION 5. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the animal protection fund created in section 35-42-113, Colorado Revised Statutes, not otherwise appropriated, to the department of agriculture, for allocation to the agricultural services division, for the fiscal year beginning July 1, 2006, the sum of eight thousand dollars (\$8,000), or so much thereof as may be necessary, for the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 107, strike "AND",

line 108, strike "CASES." and substitute "CASES, AND MAKING AN APPROPRIATION."

**HB06-1161** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 10, line 20, strike "AMOUNT" and substitute "AMOUNT, NOT TO EXCEED TWO HUNDRED DOLLARS,".

Page 13, strike line 27 and substitute the following:

**"SECTION 5. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the mortgage broker registration cash fund created in section 12-61-908 (2), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the executive director's office, for legal services, for the fiscal year beginning July 1, 2006, the sum of twenty-five thousand seven hundred eighty dollars (\$25,780), or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the mortgage broker registration cash fund created in section 12-61-908 (2), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the division of real estate, for regulation of mortgage brokers, for the fiscal year beginning July 1, 2006, the sum of ninety-seven thousand three hundred seventy-three dollars (\$97,373) and 1.5 FTE, or so much thereof as may be necessary, for the implementation of this act.

1 (3) In addition to any other appropriation, there is hereby  
2 appropriated to the department of law, for the fiscal year beginning July  
3 1, 2006, the sum of twenty-five thousand seven hundred eighty dollars  
4 (\$25,780), and 0.2 FTE, or so much thereof as may be necessary, for the  
5 provision of legal services to the department of regulatory agencies  
6 related to the implementation of this act. Said sum shall be from cash  
7 funds exempt received from the department of regulatory agencies,  
8 executive director's office, out of the appropriation made in subsection (1)  
9 of this section.

10  
11 (4) In addition to any other appropriation, there is hereby  
12 appropriated, to the department of public safety, for allocation to the  
13 colorado bureau of investigations, for processing of fingerprint-based  
14 criminal history checks for mortgage brokers, for the fiscal year  
15 beginning July 1, 2006, the sum of forty-six thousand eight hundred  
16 ninety-four dollars (\$46,894) and 0.6 FTE, or so much thereof as may be  
17 necessary, for the implementation of this act. Said sum shall be from  
18 fingerprint processing fees collected by the Colorado bureau of  
19 investigation.

20  
21 (5) In addition to any other appropriation, there is hereby  
22 appropriated to the department of public safety, for the fiscal year  
23 beginning July 1, 2006, the sum of sixty-six thousand dollars (\$66,000),  
24 or so much thereof as may be necessary, for pass through to the federal  
25 bureau of investigation for fingerprint-based national criminal history  
26 checks for mortgage brokers related to the implementation of this act.  
27 Said sum shall be from fingerprint processing fees collected by the  
28 Colorado bureau of investigation."

29  
30 Page 14, strike lines 1 through 7.

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34 **HB06-1280** be amended as follows, and as so amended, be referred to  
35 the Committee of the Whole with favorable  
36 recommendation:

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Amend printed bill, page 59, after line 20, insert the following:

40 **"SECTION 12. Appropriation.** (1) In addition to any other  
41 appropriation, there is hereby appropriated, out of any moneys in the  
42 uniform consumer credit code cash fund, created in section 5-6-204 (1),  
43 Colorado Revised Statutes, to the department of law, consumer  
44 protection, for oversight of debt management services companies, for the  
45 fiscal year beginning July 1, 2006, the sum of one hundred nine thousand  
46 seven hundred twenty-two dollars (\$109,722) and 1.8 FTE, or so much  
47 thereof as may be necessary, for the implementation of this act.

48

49 (2) In addition to any other appropriation, there is hereby  
50 appropriated, to the department of public safety, Colorado bureau of  
51 investigation, for the Colorado crime information center, for the fiscal  
52 year beginning July 1, 2006, the sum of five thousand seven hundred  
53 seventy-five dollars (\$5,775), or so much thereof as may be necessary, for  
54 background checks related to the implementation of this act. Of said  
55 sum, two thousand four hundred seventy-five dollars (\$2,475) shall be  
56 from fees for background checks and three thousand three hundred

1 dollars (\$3,300) shall be cash funds exempt from background check fees  
2 collected by the department of public safety for transmittal to the federal  
3 bureau of investigation."

4

5 Renumber succeeding sections accordingly.

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7 Page 1, line 103, strike "ACT"." and substitute "ACT", AND MAKING AN  
8 APPROPRIATION."

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12 **HB06-1327** be amended as follows, and as so amended, be referred to  
13 the Committee of the Whole with favorable  
14 recommendation:

15

16 Amend printed bill, page 3, after line 19, insert the following:

17

18 **"SECTION 3. Appropriation.** In addition to any other  
19 appropriation, there is hereby appropriated, out of any moneys in the  
20 employment support fund created in section 8-77-109, Colorado Revised  
21 Statutes, not otherwise appropriated, to the department of labor and  
22 employment, for allocation to the division of employment and training,  
23 for the fiscal year beginning July 1, 2006, the sum of one hundred sixty  
24 thousand four hundred seventy-six dollars (\$160,476) and 1.8 FTE, or so  
25 much thereof as may be necessary, for the implementation of this act."

26

27 Renumber succeeding section accordingly.

28

29 Page 1, line 103, strike "BENEFITS." and substitute "BENEFITS, AND  
30 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

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### 35 **EDUCATION**

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

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39 **HB06-1336** be amended as follows, and as so amended, be referred to  
40 the Committee on Finance with favorable  
41 recommendation:

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43 Amend printed bill, page 24, line 27, strike "July 1, 2007," and substitute  
44 "January 1, 2007,".

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47

48 **SB06-118** be amended as follows, and as so amended, be referred to  
49 the Committee of the Whole with favorable  
50 recommendation:

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52 Amend reengrossed bill, page 8, line 24, strike "FACILITY." and substitute  
53 "FACILITY OR ANOTHER OUT-OF-HOME PLACEMENT.";

54

55 line 27, strike "OUT-OF-DISTRICT".

56

1 Page 9, line 1, after "FACILITY", insert "OR ANOTHER OUT-OF-HOME  
2 PLACEMENT";

3

4 after line 19, insert the following:

5

6 "(9.8) "SPECIFIC LEARNING DISABILITY" MEANS A DISORDER IN ONE  
7 OR MORE OF THE BASIC PSYCHOLOGICAL PROCESSES INVOLVED IN  
8 UNDERSTANDING OR IN USING LANGUAGE, SPOKEN OR WRITTEN, WHICH  
9 DISORDER MAY MANIFEST ITSELF IN THE IMPERFECT ABILITY TO LISTEN,  
10 THINK, SPEAK, READ, WRITE, SPELL, OR DO MATHEMATICAL  
11 CALCULATIONS, AND INCLUDES SUCH CONDITIONS AS PERCEPTUAL  
12 DISABILITIES, BRAIN INJURY, MINIMAL BRAIN DYSFUNCTION, DYSLEXIA,  
13 AND DEVELOPMENTAL APHASIA. "SPECIFIC LEARNING DISABILITY" DOES  
14 NOT INCLUDE A LEARNING PROBLEM THAT IS PRIMARILY THE RESULT OF  
15 VISUAL, HEARING, OR MOTOR DISABILITIES, OF MENTAL RETARDATION, OF  
16 EMOTIONAL DISTURBANCE, OR OF ENVIRONMENTAL, CULTURAL, OR  
17 ECONOMIC DISADVANTAGE."

18

19 Page 16, line 7, strike "SECTION" and substitute "SECTIONS 22-20-108 (8)  
20 AND";

21

22 line 26, strike "~~as set~~ PROMULGATED BY RULE by" and substitute "~~as set~~  
23 ~~by~~ PROMULGATED BY RULE OF".

24

25 Page 28, line 21, strike "AN ELIGIBLE FACILITY:" and substitute "A PUBLIC  
26 PLACEMENT:".

27

28 Page 29, line 5, strike "CHILD;" and substitute "CHILD.";

29

30 strike lines 6 through 10.

31

32 Page 30, line 4, after "PLACEMENT", insert "IN AN ELIGIBLE FACILITY";

33

34 line 7, after "PLACEMENT", insert "IN AN ELIGIBLE FACILITY";

35

36 line 11, strike "PLACEMENT," and substitute "PLACEMENT IN THE ELIGIBLE  
37 FACILITY,";

38

39 line 14, strike "placement, it" and substitute "placement ~~it~~ IN THE ELIGIBLE  
40 FACILITY,".

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#### 45 **FINANCE**

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

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49 **HB06-1275** be amended as follows, and as so amended, be referred to  
50 the Committee of the Whole with favorable  
51 recommendation:

52

53 Amend printed bill, page 3, line 6, strike "FACILITY" and substitute "NEW  
54 FACILITY FIRST PLACED IN PRODUCTION ON OR AFTER JANUARY 1, 2006,";

55

1 line 8, after "GENERATE", insert "AND DELIVER TO THE INTERCONNECTION  
2 METER".

3  
4 Page 4, line 2, strike "WIND." and substitute "A WIND ENERGY FACILITY.";

5  
6 line 19, after "(b)", insert "(I)";

7  
8 line 20, strike "ONE AND SEVEN-TENTHS" and substitute "A TAX FACTOR";

9  
10 strike line 21 and substitute the following:  
11 "AT THE INTERCONNECTION METER.

12  
13 (II) AS USED IN THIS PART 1, "INTERCONNECTION METER" MEANS  
14 THE METER LOCATED AT THE POINT OF DELIVERY OF ENERGY TO THE  
15 PURCHASER.

16  
17 (III) AS USED IN THIS PARAGRAPH (b), "SELLING PRICE AT THE  
18 INTERCONNECTION METER" MEANS THE GROSS TAXABLE REVENUES  
19 REALIZED BY THE TAXPAYER FROM THE SALE OF ENERGY AT THE  
20 INTERCONNECTION METER.

21  
22 (IV) AS USED IN THIS PARAGRAPH (b), "TAX FACTOR" MEANS A  
23 FACTOR ANNUALLY ESTABLISHED BY THE ADMINISTRATOR. THE TAX  
24 FACTOR SHALL BE A NUMBER THAT WHEN APPLIED TO THE SELLING PRICE  
25 AT THE INTERCONNECTION METER RESULTS IN APPROXIMATELY THE SAME  
26 TAX REVENUE OVER A TWENTY-YEAR PERIOD THAT WOULD HAVE BEEN  
27 COLLECTED USING THE COST BASIS METHOD OF TAXATION AS DETERMINED  
28 BY THE ADMINISTRATOR FOR A RENEWABLE ENERGY FACILITY PURSUANT  
29 TO SECTION 39-4-102 (1) (e).";

30  
31 strike lines 22 through 26.

32  
33 Page 5, line 14, before "wind", insert "new" and, after "facilities", insert  
34 "first placed in production".

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37  
38 **SB06-142** be referred to the Committee of the Whole with favorable  
39 recommendation.

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42 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

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44 The Speaker has signed: **HB06-1028, 1136.**

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46  
47 **MESSAGE FROM THE SENATE**

48  
49 The Senate has passed on Third Reading and transmitted to the Revisor  
50 of Statutes:

51  
52 SB06-037, amended as printed in Senate Journal, March 2, 2006,  
53 page 384.

54 The Senate voted to concur in House amendments to SB06-056, and  
55 repassed the bill as amended.

56

**MESSAGE FROM THE REVISOR**

We herewith transmit:  
Without comment, as amended, SB06-037.

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**INTRODUCTION OF BILLS  
First Reading**

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

**HB06-1366** by Representative(s) Riesberg and McFadyen--Concerning the appointment of representatives of regional associations to the board of directors of the Colorado tourism office.

Committee on State, Veterans, & Military Affairs

**HB06-1367** by Representative(s) Boyd; also Senator(s) Johnson--Concerning the nursing peer health assistance diversion program.

Committee on Health and Human Services

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**INTRODUCTION OF RESOLUTION**

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

**HJR06-1017** by Representative(s) Penry, Schultheis, Buescher, Crane, Kerr, Knoedler, Liston, Lundberg, Stafford, White--Concerning urging the United States government to engage the government of Mexico to abate the flow of methamphetamine from Mexico into the United States.

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**LAY OVER OF CALENDAR ITEMS**

On motion of Representative Garcia, the following items on the Calendar were laid over until March 6, retaining place on Calendar:

Consideration of Special Orders--**HB06-1281**.  
Consideration of Third Reading--**HB06-1251**.  
Consideration of General Orders--**HB06-1193, 1066, 1008, 1154, 1351, 1335, SB06-160, 062**.  
Consideration of Resolutions--**HJR06-1013, 1015**.  
Consideration of Senate Amendments--**HB06-1040, 1175, 1033, 1048**.

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1 On motion of Representative Balmer, the House adjourned until  
2 10:00 a.m., March 6, 2006.

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Approved:  
ANDREW ROMANOFF,  
Speaker

Attest:

MARILYN EDDINS,

Chief Clerk