

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

Sixth Legislative Day

Monday, January 16, 2006

1 Prayer by Reverend Leon Kelly, Director of Youth Gang Alternatives,
2 Denver.

3
4 The Speaker called the House to order at 1:00 p.m.

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6 Pledge of Allegiance led by Representative Balmer.

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8 The roll was called with the following result:

9
10 Present--62.

11 Excused--Representatives Clapp, McGihon, Paccione--3.

12 Present after roll call--Representative McGihon.

13
14 The Speaker declared a quorum present.

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17 On motion of Representative Garcia, the reading of the journal of
18 January 13, 2006, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

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22 **PRINTING REPORT**

23
24 The Chief Clerk reports the following bills have been correctly printed:
25 **HB06-1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096,**
26 **1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107,**
27 **1108, 1109, 1110, 1111, 1112, 1113.**

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30 House in recess. House reconvened.

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33 **MESSAGE FROM THE SENATE**

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35 The Senate has adopted and transmits herewith: SJR06-003.

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38 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

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40 **SJR06-003** by Senator(s) Groff; also Representative(s) Carroll T.--
41 Concerning the commemoration of the birthday of the
42 Reverend Dr. Martin Luther King, Jr., and the extension
43 of the "Voting Rights Act of 1965".

1 (Printed and placed in members file)

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

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6 On motion of Representative T. Carroll, the resolution was read at length
7 and **adopted** by **viva voce** vote.

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9 Co-sponsors added: Roll Call of the House.

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12 House in recess. House reconvened.

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15 INTRODUCTION OF BILLS

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16 First Reading

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

HB06-1114 by Representative(s) Lundberg, Cloer, Garcia, Harvey, Stafford, Welker; also Senator(s) Brophy--Concerning the creation of a revenue shortfall relief fund, and, in connection therewith, authorizing transfers from the revenue shortfall relief fund to the general fund if total state general fund appropriations fall below a specified level.

Committee on Finance

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

Committee on Business Affairs and Labor

HB06-1116 by Representative(s) Green, Pommer; also Senator(s) Tupa--Concerning a prohibition on actions to divert traffic onto toll roads from roads for which a toll is not charged.

Committee on Transportation & Energy

HB06-1117 by Representative(s) Cadman--Concerning the exclusion of the amount of an offer from a manufacturer of tangible personal property that reduces the purchase price of the property for purposes of calculating the total purchase price on which the sales tax is levied.

Committee on Finance

HB06-1118 by Representative(s) Larson--Concerning actions taken against person licensed to operate a commercial motor vehicle that deny the person the privilege of operating such motor vehicle.

Committee on Transportation & Energy

- 1 **HB06-1119** by Representative(s) Marshall, Harvey, Madden,
2 Paccione; also Senator(s) Keller--Concerning security
3 breaches regarding personal identifying information.
4 Committee on Business Affairs and Labor
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- 6 **HB06-1120** by Representative(s) Buescher, Borodkin, Coleman,
7 Curry, Hoppe, McKinley, Plant, White; also Senator(s)
8 Tupa--Concerning restrictions on the authority of wineries
9 to ship wine to personal consumers.
10 Committee on Business Affairs and Labor
11
- 12 **HB06-1121** by Representative(s) Todd, Benefield, Berens, Carroll M.,
13 Decker, Green, Hodge, Marshall, Massey, McKinley,
14 Merrifield, Paccione, Penry, Solano; also Senator(s)
15 Williams, Windels--Concerning recognition of community
16 service performed by students.
17 Committee on Education
18
- 19 **HB06-1122** by Representative(s) Todd, Benefield, Berens, Decker,
20 Hodge, Lindstrom; also Senator(s) Spence--Concerning
21 procedures relating to missing persons.
22 Committee on Judiciary
23
- 24 **HB06-1123** by Representative(s) Harvey--Concerning criminalizing
25 running away from home.
26 Committee on Judiciary
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- 28 **HB06-1124** by Representative(s) Hodge; also Senator(s) Owen--
29 Concerning the adjudication of a rotational crop
30 management contract.
31 Committee on Agriculture, Livestock, & Natural Resources
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- 33 **HB06-1125** by Representative(s) Coleman, Larson, Riesberg,
34 Ragsdale, Pommer, Frangas, Gallegos, Green, Judd,
35 Lindstrom, Merrifield, Vigil; also Senator(s) Groff,
36 Williams, Dyer, Grossman--Concerning the enforcement
37 of an offense involving failure to use an appropriate motor
38 vehicle restraining device.
39 Committee on Transportation & Energy
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- 41 **HB06-1126** by Representative(s) Green, Benefield, Butcher, Coleman,
42 Frangas, Garcia, Lindstrom, Solano; also Senator(s)
43 Tochtrop--Concerning the safety of children's products.
44 Committee on Health and Human Services
45
- 46 **HB06-1127** by Representative(s) Riesberg, Todd--Concerning the
47 regulation of athletic trainers.
48 Committee on Health and Human Services
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- 50 **HB06-1128** by Representative(s) Schultheis, Crane, Gardner, Harvey,
51 Lundberg, May M., Penry, Welker, Balmer, Berens,
52 Clapp, Kerr, King, Liston, Rose, Sullivan; also Senator(s)
53 Lamborn--Concerning first degree murder of a fetus, and
54 making an appropriation in connection therewith.
55 Committee on Judiciary
56 Committee on Appropriations

- 1 **HB06-1129** by Representative(s) Lundberg, Schultheis, Cloer,
2 Stafford, Balmer, Harvey, Welker; also Senator(s)
3 Lamborn, Brophy--Concerning a change to the "Colorado
4 Income Tax Act of 1987" to exempt from state income tax
5 income earned by a Colorado resident for service in the
6 United States armed forces.
7 Committee on State, Veterans, & Military Affairs
8 Committee on Finance
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- 10 **HB06-1130** by Representative(s) Penry--Concerning an exemption
11 from wildlife fees for members of the military returning
12 from service abroad.
13 Committee on State, Veterans, & Military Affairs
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- 15 **HB06-1131** by Representative(s) Stengel; also Senator(s) McElhany--
16 Concerning persons who provide surety to a court for a
17 defendant that has been taken into custody.
18 Committee on State, Veterans, & Military Affairs
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- 20 **HB06-1132** by Representative(s) Hoppe--Concerning the disposition
21 of animals impounded under animal cruelty laws, and, in
22 connection therewith, authorizing the sale of such animals
23 with the proceeds applied to the cost of care of such
24 impounded animals, authorizing court hearings on the
25 reasonableness of costs associated with bonds to prevent
26 the disposition of an impounded animal, and authorizing
27 the recovery of such costs through restitution in criminal
28 cases.
29 Committee on Judiciary
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- 31 **HB06-1133** by Representative(s) Harvey, Schultheis, Balmer, Berens,
32 Cadman, Cloer, Crane, Decker, Gardner, Hefley, Kerr,
33 King, Knoedler, Larson, Liston, Lundberg, Massey, May
34 M., McCluskey, Penry, Rose, Stafford, Stengel, Welker,
35 White, Witwer; also Senator(s) Wiens--Concerning the
36 elimination of government practices that are permissive
37 toward illegal immigration.
38 Committee on State, Veterans, & Military Affairs
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- 40 **HB06-1134** by Representative(s) Schultheis, Crane, Penry, Welker,
41 Lundberg, Berens, Cadman, Decker, Gardner, Harvey,
42 Kerr, King, Knoedler, Liston, Massey, May M., Rose,
43 Stengel, Sullivan, White, Witwer; also Senator(s) Jones--
44 Concerning enforcement of immigration laws by law
45 enforcement agencies in Colorado.
46 Committee on State, Veterans, & Military Affairs
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- 48 **HB06-1135** by Representative(s) Knoedler; also Senator(s) Tupa--
49 Concerning a modification to the threshold amount of
50 campaign contributions that necessitates disclosure of
51 information about the person making the contribution
52 under Colorado law governing campaign finance.
53 Committee on State, Veterans, & Military Affairs
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- 1 **HB06-1136** by Representative(s) Witwer, Berens--Concerning a
2 requirement to notify the state attorney general when a
3 defendant alleges a law is unconstitutional.
4 Committee on Judiciary
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- 6 **HB06-1137** by Representative(s) Judd; also Senator(s) Shaffer--
7 Concerning amendments to the Colorado probate code.
8 Committee on Judiciary
9
- 10 **HB06-1138** by Representative(s) Rose--Concerning the performance
11 of vehicle identification number inspections by a law
12 enforcement agency's designee.
13 Committee on Transportation & Energy
14
- 15 **HB06-1139** by Representative(s) White, Lindstrom, Plant; also
16 Senator(s) Fitz-Gerald--Concerning the expenditure of
17 limited gaming revenues from the state historical fund by
18 cities that are authorized to conduct limited gaming.
19 Committee on Local Government
20
- 21 **HB06-1140** by Representative(s) McCluskey--Concerning the
22 registration of trademarks.
23 Committee on Business Affairs and Labor
24
- 25 **HB06-1141** by Representative(s) Hall, Massey; also Senator(s)
26 Grossman--Concerning the authorization of affiliated
27 business arrangements relating to title insurance.
28 Committee on Business Affairs and Labor
29
- 30 **HB06-1142** by Representative(s) Cloer, Decker, Kerr, Knoedler; also
31 Senator(s) Williams--Concerning the compensation paid
32 to student election judges.
33 Committee on State, Veterans, & Military Affairs
34
- 35 **HB06-1143** by Representative(s) Gallegos; also Senator(s) Kester--
36 Concerning the authority of a county clerk and recorder to
37 request criminal history records for individuals who assist
38 in the process of conducting elections.
39 Committee on Local Government
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- 41 **HB06-1144** by Representative(s) May M., Schultheis, Harvey; also
42 Senator(s) Veiga--Concerning the enforcement of liquor
43 laws regarding sales to minors, and, in connection
44 therewith, creating an affirmative defense for retail alcohol
45 beverage licensees and limiting peace officers' ability to
46 conduct random enforcement operations at licensed
47 premises.
48 Committee on Business Affairs and Labor
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- 50 **HB06-1145** by Representative(s) Solano, Curry, Gallegos, Larson,
51 Lindstrom, Merrifield, Paccione, Penry, Riesberg, Soper,
52 Buescher, Benefield, Jahn, Ragsdale, Todd; also
53 Senator(s) Teck, Bacon, Hanna, Shaffer, Tochtrop,
54 Williams, Windels--Concerning the development of a
55 comprehensive response to the methamphetamine problem
56 in Colorado, and, in connection therewith, creating a

1 legislative oversight committee to examine the prevention,
 2 intervention, and treatment of the abuse of
 3 methamphetamine and to examine the production and
 4 distribution of methamphetamine, establishing a state
 5 methamphetamine task force, and strengthening the laws
 6 concerning methamphetamine.

7 Committee on Judiciary

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9 **HB06-1146** by Representative(s) Solano--Concerning the proper
 10 confinement of animals.

11 Committee on Judiciary

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13 **HB06-1147** by Representative(s) Plant, Coleman, Curry, Larson,
 14 Pommer, White; also Senator(s) Johnson, Gordon, Groff,
 15 Grossman, Tochtrop, Windels--Concerning measures to
 16 promote energy efficiency.

17 Committee on Transportation & Energy

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19 **HB06-1148** by Representative(s) Vigil, Hefley, Benefield, Berens,
 20 Carroll M., Coleman, Crane, Frangas, Gallegos, Green,
 21 McKinley, Merrifield, Ragsdale, Soper, Welker; also
 22 Senator(s) Tapia, Bacon, Entz, Hanna, Keller, Kester,
 23 Teck, Williams, Windels--Concerning a prohibition
 24 against the shifting of financial responsibility for
 25 negligence in construction agreements.

26 Committee on Judiciary

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29 On motion of Representative Judd, the House adjourned until 9:00 a.m.,
 30 January 17, 2006.

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Approved:
 ANDREW ROMANOFF,
 Speaker

Attest:
 MARILYN EDDINS,
 Chief Clerk