

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

Ninety-third Legislative Day

Thursday, April 13, 2006

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

2

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

4

5 Pledge of Allegiance led by Michael Kiefer, Charlie Keifer, Savanna
6 Mueller, Megan Mueller, Connor Piko, Austin Piko, Halle Bennett, Jackie
7 Bennett, Alex Turner, Lila Arnold from Centennial; Victoria Bui from
8 Arvada.

9

10 The roll was called with the following result:

11

12 Present--60.

13 Excused--Representatives Coleman, McGihon, Schultheis, Vigil,
14 White--5.

15 Present after roll call--Representatives Coleman, McGihon,
16 Schultheis, Vigil, White.

17

18 The Speaker declared a quorum present.

19

20

21 On motion of Representative Garcia, the reading of the journal of
22 April 12, 2006, was declared dispensed with and approved as corrected
23 by the Chief Clerk.

24

25

26

House in recess. House reconvened.

27

28

29

30 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

31

32 **HB06-1275** by Representative(s) McKinley, Butcher, Gallegos,
33 Gardner; also Senator(s) Brophy--Concerning the
34 determination of the actual value for property tax purposes
35 of property used to generate electricity from wind.

36

37 (Amended as printed in Senate Journal, March 29, as printed in Senate
38 Journal, page 676.)

39

40 Representative McKinley moved that the House **concur** in Senate
41 amendments. The motion was declared **passed** by the following roll call
42 vote:

43

	YES	60	NO	04	EXCUSED	01	ABSENT	00
1								
2	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
3	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
4	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
5	Borodkin	Y	Gardner	Y	Lundberg	N	Rose	Y
6	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
7	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
8	Cadman	N	Harvey	Y	Massey	Y	Soper	Y
9	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
10	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
11	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
12	Clapp	Y	Jahn	Y	McGihon	E	Todd	Y
13	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
14	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
15	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
16	Curry	Y	King	Y	Penry	Y	White	Y
17	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
18							Speaker	Y
19								

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

	YES	55	NO	09	EXCUSED	01	ABSENT	00
25								
26	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
27	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
28	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
29	Borodkin	Y	Gardner	Y	Lundberg	N	Rose	Y
30	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
31	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
32	Cadman	N	Harvey	N	Massey	Y	Soper	Y
33	Carroll M	Y	Hefley	Y	May	N	Stafford	Y
34	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
35	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	Y
36	Clapp	Y	Jahn	Y	McGihon	E	Todd	Y
37	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
38	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
39	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
40	Curry	Y	King	Y	Penry	Y	White	Y
41	Decker	N	Knoedler	Y	Plant	Y	Witwer	Y
42							Speaker	Y
43								

44 **HB06-1193** by Representative(s) Carroll M., Borodkin, Cerbo,
 45 Weissmann; also Senator(s) Hagedorn--Concerning
 46 protection for all health care workers who report patient
 47 safety information.

48
 49 (Amended as printed in Senate Journal, April 6, as printed in Senate
 50 Journal.)

51
 52 Representative Carroll M. moved that the House **concur** in Senate
 53 amendments. The motion was declared **passed** by the following roll call
 54 vote:

55

	YES	64	NO	00	EXCUSED	01	ABSENT	00
1								
2	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
3	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
4	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
5	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
6	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
7	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
8	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
9	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
10	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
11	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
12	Clapp	Y	Jahn	Y	McGihon	E	Todd	Y
13	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
14	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
15	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
16	Curry	Y	King	Y	Penry	Y	White	Y
17	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
18							Speaker	Y
19								

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

	YES	47	NO	17	EXCUSED	01	ABSENT	00
25								
26	Balmer	N	Frangas	Y	Larson	Y	Pommer	Y
27	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
28	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
29	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
30	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
31	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
32	Cadman	N	Harvey	N	Massey	Y	Soper	Y
33	Carroll M	Y	Hefley	N	May	N	Stafford	Y
34	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
35	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	N
36	Clapp	N	Jahn	Y	McGihon	E	Todd	Y
37	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
38	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
39	Crane	Y	Kerr J	N	Paccione	Y	Welker	N
40	Curry	Y	King	N	Penry	Y	White	Y
41	Decker	N	Knoedler	Y	Plant	Y	Witwer	Y
42							Speaker	Y

43 Co-sponsors added: Representatives Jahn, Witwer.

44
 45 **HB06-1338** by Representative(s) Plant; also Senator(s) Fitz-Gerald--
 46 Concerning the inclusion of contiguous counties in the
 47 regional transportation district.

48
 49 (Amended as printed in Senate Journal, April 5, as printed in Senate
 50 Journal, page 771.)

51
 52 Representative Plant moved that the House **concur** in Senate
 53 amendments. The motion was declared **passed** by the following roll call
 54 vote:

55

	YES	49	NO	15	EXCUSED	01	ABSENT	00
1								
2	Balmer	N	Frangas	Y	Larson	Y	Pommer	Y
3	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
4	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
5	Borodkin	Y	Gardner	N	Lundberg	N	Rose	Y
6	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
7	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
8	Cadman	N	Harvey	N	Massey	Y	Soper	Y
9	Carroll M	Y	Hefley	Y	May	N	Stafford	Y
10	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
11	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
12	Clapp	N	Jahn	Y	McGihon	E	Todd	Y
13	Cloer	N	Judd	Y	McKinley	Y	Vigil	Y
14	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
15	Crane	N	Kerr J	N	Paccione	Y	Welker	Y
16	Curry	Y	King	N	Penry	N	White	Y
17	Decker	N	Knoedler	N	Plant	Y	Witwer	Y
18							Speaker	Y
19								

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

	YES	40	NO	24	EXCUSED	01	ABSENT	00
25								
26	Balmer	N	Frangas	Y	Larson	Y	Pommer	Y
27	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
28	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
29	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
30	Buescher	N	Green	Y	Madden	Y	Schultheis	N
31	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
32	Cadman	N	Harvey	N	Massey	Y	Soper	Y
33	Carroll M	Y	Hefley	N	May	N	Stafford	N
34	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
35	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	Y
36	Clapp	N	Jahn	Y	McGihon	E	Todd	Y
37	Cloer	N	Judd	Y	McKinley	Y	Vigil	Y
38	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
39	Crane	N	Kerr J	N	Paccione	Y	Welker	N
40	Curry	Y	King	N	Penry	N	White	N
41	Decker	N	Knoedler	N	Plant	Y	Witwer	N
42							Speaker	Y
43								

CONSIDERATION OF RESOLUTIONS

44
45
46
47
48 **SJR06-027** by Senator(s) Entz, Kester, Mitchell, Wiens; also
 49 Representative(s) Penry, Cloer, Carroll T., Lundberg,
 50 Harvey, Stafford, Schultheis, Liston, Romanoff, Berens--
 51 Concerning condemnation of the Chinese government's
 52 persecution of practitioners of Falun Gong.

53
54 (Printed and placed in member's file.)
55

1 On motion of Representative Penry, the resolution was **adopted** by **viva**
2 **voce** vote.

3

4 Co-sponsors added: Co-sponsors added: Representatives Balmer, Benefield,
5 Buescher, Butcher, Cadman, Carroll M, Cerbo, Clapp, Coleman, Crane, Curry,
6 Frangas, Gallegos, Garcia, Gardner, Green, Hall, Hefley, Hoppe, Jahn, Kerr A,
7 Kerr J, King, Knoedler, Larson, Marshall, Massey, May, McCluskey,
8 McFadyen, McKinley, Merrifield, Ragsdale, Riesberg, Solano, Soper, Sullivan,
9 Todd, Vigil, Weissmann, Welker, White, Witwer.

10

11 **HJR06-1016** by Representative(s) Schultheis, Lundberg, May M.,
12 McCluskey; also Senator(s) Wiens--Concerning the
13 individual interests of members of the general assembly in
14 pending legislation.

15

16 (Printed and placed in member's files.)

17

18 Representative Schultheis moved that the resolution be adopted.

19

20 Representative Schultheis moved the following amendment:

21

22 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
23 March 7, 2006, and placed in member's bill file; Report also printed in
24 House Journal, March 9, page 658.

25

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

27

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

30

31 Co-sponsors added: Representatives Carroll T, Clapp, Coleman, Crane, Hall,
32 Hefley, Hoppe, Kerr J, Rose, Stafford, Welker.

33

34

THIRD READING OF BILLS--FINAL PASSAGE

35

36
37 The following bills were considered on Third Reading. The titles were
38 publicly read. Reading of the bill at length was dispensed with by
39 unanimous consent.

40

41 **SB06-090** by Senator(s) Wiens, Johnson; also Representative(s)
42 Harvey--Concerning local government cooperation with
43 federal officials regarding the immigration status of
44 persons in this state.

45

46 As shown by the following roll call vote, a majority of all members
47 elected to the House voted in the affirmative, and Representative
48 Coleman was given permission to offer a Third Reading amendment:

49

	YES	36	NO	29	EXCUSED	00	ABSENT	00
50	Balmer	N	Frangas	Y	Larson	Y	Pommer	Y
51	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
52	Berens	N	Garcia	Y	Liston	N	Riesberg	Y
53	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
54	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
55	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
56	Cadman	N	Harvey	N	Massey	N	Soper	Y

1	Carroll M	Y	Hefley	N	May	N	Stafford	N
2	Carroll T	Y	Hodge	Y	McCluskey	N	Stengel	N
3	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	N
4	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
5	Cloer	N	Judd	Y	McKinley	Y	Vigil	Y
6	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
7	Crane	N	Kerr J	N	Paccione	Y	Welker	N
8	Curry	Y	King	N	Penry	N	White	N
9	Decker	N	Knoedler	N	Plant	Y	Witwer	N
10							Speaker	Y

11

12 **Third Reading amendment No. 1**, by Representative Coleman.

13

14 Amend revised bill, page 4, after line 7, insert the following:

15

16 "(c) A LOCAL GOVERNMENT MAY BILL THE DEPARTMENT OF LOCAL
 17 AFFAIRS FOR THE COSTS ASSOCIATED WITH COMPLYING WITH THIS
 18 SUBSECTION (2), AND ANY SUCH PAYMENTS FROM THE DEPARTMENT SHALL
 19 BE FROM FUNDS OTHERWISE APPROPRIATED TO THE GENERAL FUND FROM
 20 THE LIMITED GAMING FUND CREATED IN SECTION 12-47.1-701, C.R.S.".

21

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

23

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

42

43 As shown by the following roll call vote, a majority of all members
 44 elected to the House voted in the affirmative, and Representative
 45 Carroll M. was given permission to offer a Third Reading amendment:

46

47	YES	65	NO	00	EXCUSED	00	ABSENT	00
48	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
49	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
50	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
51	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
52	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
53	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
54	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
55	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
56	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y

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

9
10 **Third Reading amendment No. 2**, by Representative Carroll M.

11
12 Amend revised bill, page 4, after line 7, insert the following:

13
14 "(c) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THE
15 STATE ATTORNEY GENERAL AND ALL APPROPRIATE STATE AND LOCAL LAW
16 ENFORCEMENT AGENCIES SHOULD VIGOROUSLY PURSUE ALL FEDERAL
17 MONEYS TO WHICH THE STATE MAY BE ENTITLED FOR THE
18 REIMBURSEMENT OF MONEYS SPENT TO ENFORCE FEDERAL IMMIGRATION
19 LAWS."

20
21 The amendment was declared **passed** by the following roll call vote:

22	YES	65	NO	00	EXCUSED	00	ABSENT	00
23	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
24	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
25	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
26	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
27	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
28	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
29	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
30	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
31	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
32	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
33	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
34	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
35	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
36	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
37	Curry	Y	King	Y	Penry	Y	White	Y
38	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
39							Speaker	Y

40
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 **passed**.

46	YES	49	NO	16	EXCUSED	00	ABSENT	00
47	Balmer	Y	Frangas	N	Larson	Y	Pommer	N
48	Benefield	Y	Gallegos	N	Lindstrom	N	Ragsdale	N
49	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
50	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
51	Buescher	Y	Green	Y	Madden	N	Schultheis	Y
52	Butcher	N	Hall	Y	Marshall	Y	Solano	Y
53	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
54	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
55	Carroll T	N	Hodge	Y	McCluskey	Y	Stengel	Y

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

9 Co-sponsors added: Representatives Balmer, Berens, Clapp, Cloer, Crane,
10 Decker, Hall, Hefley, Hoppe, Kerr J, King, Knoedler, Liston, Lundberg,
11 Massey, May, Paccione, Penry, Rose, Schultheis, Stafford, Stengel, Todd,
12 White, Witwer.

13
14 **HB06-1314** by Representative(s) Cerbo; also Senator(s) Tochtrop--
15 Concerning a prohibition against certain employer
16 communications to an employee.

17
18 The question being "Shall the bill pass?".
19 A roll call vote was taken. As shown by the following recorded vote, a
20 majority of those elected to the House voted in the affirmative and the bill
21 was declared **passed**.

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

40
41 Co-sponsors added: Representatives Benefield, Carroll M, Coleman, Frangas,
42 Green, Madden, McGihon, Merrifield, Ragsdale, Soper, Vigil.

43
44 **HB06-1058** by Representative(s) Pommer; also Senator(s) Williams--
45 Concerning creation of a surcharge to be paid by persons
46 convicted of certain crimes against children, and making an
47 appropriation therewith.

48
49 The question being "Shall the bill pass?".
50 A roll call vote was taken. As shown by the following recorded vote, a
51 majority of those elected to the House voted in the affirmative and the bill
52 was declared **passed**.

53	YES	52	NO	13	EXCUSED	00	ABSENT	00
54	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
55	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y

1	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
2	Borodkin	Y	Gardner	Y	Lundberg	N	Rose	N
3	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
4	Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
5	Cadman	N	Harvey	N	Massey	Y	Soper	Y
6	Carroll M	Y	Hefley	Y	May	N	Stafford	Y
7	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
8	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
9	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
10	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
11	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
12	Crane	Y	Kerr J	Y	Paccione	Y	Welker	N
13	Curry	Y	King	N	Penry	N	White	Y
14	Decker	N	Knoedler	Y	Plant	Y	Witwer	Y
15							Speaker	Y

16 Co-sponsor added: Representative Green.

17

18 **HB06-1306** by Representative(s) Knoedler; also Senator(s) Traylor--
 19 Concerning the requirement of a statewide audit to study
 20 the implementation of the "Secure and Verifiable Identity
 21 Document Act".

22

23 The question being "Shall the bill pass?".

24 A roll call vote was taken. As shown by the following recorded vote, a
 25 majority of those elected to the House voted in the affirmative and the bill
 26 was declared **passed**.

27

28	YES	62	NO	03	EXCUSED	00	ABSENT	00
29	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
30	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
31	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
32	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
33	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
34	Butcher	N	Hall	Y	Marshall	Y	Solano	Y
35	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
36	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
37	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
38	Cerbo	N	Hoppe	Y	McFadyen	Y	Sullivan	Y
39	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
40	Cloer	Y	Judd	Y	McKinley	Y	Vigil	N
41	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
42	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
43	Curry	Y	King	Y	Penry	Y	White	Y
44	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
45							Speaker	Y

46 Co-sponsors added: Representatives Benefield, Berens, Harvey, Hoppe, Kerr J,
 47 King, Rose, Schultheis, Stafford, Sullivan, Witwer, Speaker.

48

49 **HB06-1024** by Representative(s) Frangas; also Senator(s) Tapia--
 50 Concerning underserved students at institutions of higher
 51 education, and making an appropriation therefor.

52

53 The question being "Shall the bill pass?".

54 A roll call vote was taken. As shown by the following recorded vote, a
 55 majority of those elected to the House voted in the affirmative and the bill
 56 was declared **passed**.

	YES	45	NO	20	EXCUSED	00	ABSENT	00
1	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
2	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
3	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
4	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
5	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
6	Butcher	Y	Hall	N	Marshall	Y	Solano	Y
7	Cadman	N	Harvey	N	Massey	Y	Soper	Y
8	Carroll M	Y	Hefley	N	May	N	Stafford	Y
9	Carroll T	Y	Hodge	Y	McCluskey	N	Stengel	N
10	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	N
11	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
12	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
13	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
14	Crane	Y	Kerr J	Y	Paccione	Y	Welker	N
15	Curry	Y	King	N	Penry	N	White	N
16	Decker	N	Knoedler	N	Plant	Y	Witwer	Y
17							Speaker	Y

18
19 Co-sponsors added: Representatives Carroll M, Carroll T, Coleman, Merrifield,
20 Paccione, Riesberg, Todd.

21
22 **HB06-1126** by Representative(s) Green, Benefield, Butcher, Coleman,
23 Frangas, Garcia, Lindstrom, Solano; also Senator(s)
24 Tochtrop--Concerning the safety of children's products,
25 and making an appropriation in connection therewith.

26
27 The question being "Shall the bill pass?".
28 A roll call vote was taken. As shown by the following recorded vote, a
29 majority of those elected to the House voted in the affirmative and the bill
30 was declared **passed**.

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

50 Co-sponsors added: Representatives Borodkin, Todd.

51
52
53
54
55

REPORTS OF COMMITTEES OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

SB06-215 be referred to the Committee of the Whole with favorable recommendation.

APPROPRIATIONS

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

HB06-1011 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 7, line 25, strike "H.B. 06-____," and substitute "H.B. 06-1011,".

Page 8, line 4, strike "OF _____ DOLLARS (\$)." and substitute "OF FIVE HUNDRED TWENTY-THREE THOUSAND ONE HUNDRED SIXTY-FOUR DOLLARS (\$523,164).";

line 9, strike "OF _____ DOLLARS (\$)." and substitute "OF FIVE HUNDRED TWENTY-THREE THOUSAND ONE HUNDRED SIXTY-FOUR DOLLARS (\$523,164).";

line 13, strike "OF _____ DOLLARS (\$)." and substitute "OF ONE HUNDRED SIXTY THOUSAND EIGHT HUNDRED SEVENTY-EIGHT DOLLARS (\$160,878).";

line 18, strike "OF _____ DOLLARS (\$)." and substitute "OF FIVE HUNDRED TWENTY-THREE THOUSAND ONE HUNDRED SIXTY-FOUR DOLLARS (\$523,164).";

line 22, strike "OF _____ DOLLARS (\$)." and substitute "OF THREE HUNDRED TWENTY-ONE THOUSAND SEVEN HUNDRED FIFTY-SIX DOLLARS (\$321,756).";

line 27, strike "OF _____ DOLLARS (\$)." and substitute "OF FIVE HUNDRED TWENTY-THREE THOUSAND ONE HUNDRED SIXTY-FOUR DOLLARS (\$523,164).";

Page 9, line 4, strike "OF _____ DOLLARS (\$)." and substitute "OF FOUR HUNDRED EIGHTY-TWO THOUSAND SIX HUNDRED THIRTY-FOUR DOLLARS (\$482,634).";

line 9, strike "OF _____ DOLLARS (\$)." and substitute "OF FIVE HUNDRED TWENTY-THREE THOUSAND ONE HUNDRED SIXTY-FOUR DOLLARS (\$523,164).";

line 13, strike "OF _____ DOLLARS (\$)." and substitute "OF SIX

1 HUNDRED FORTY-THREE THOUSAND FIVE HUNDRED TWELVE DOLLARS
2 (\$643,512).".

3
4 Page 10, strike line 17 and substitute the following:

5
6 "assembly; PLUS FIVE HUNDRED TWENTY-THREE THOUSAND ONE HUNDRED
7 SIXTY-FOUR DOLLARS PURSUANT TO H.B. 06-1011, ENACTED AT";

8
9 line 25, strike "PLUS _____" and substitute "PLUS FIVE HUNDRED
10 TWENTY-THREE THOUSAND ONE HUNDRED SIXTY-FOUR";

11
12 line 26, strike "H.B. 06-_____", and substitute "H.B. 06-1011,".

13
14 Page 11, line 3, strike "PLUS _____" and substitute "PLUS FIVE HUNDRED
15 TWENTY-THREE THOUSAND ONE HUNDRED SIXTY-FOUR";

16
17 line 4, strike "H.B. 06-_____", and substitute "H.B. 06-1011,";

18
19 strike line 6 and substitute the following:

20
21 "(v) ON JULY 1, 2009, FIVE HUNDRED TWENTY-THREE THOUSAND
22 ONE HUNDRED SIXTY-FOUR DOLLARS PURSUANT TO H.B. 06-1011,";

23
24 strike line 9 and substitute the following:

25
26 "(w) ON JULY 1, 2010, FIVE HUNDRED TWENTY-THREE THOUSAND
27 ONE HUNDRED SIXTY-FOUR DOLLARS PURSUANT TO H.B. 06-1011,";

28
29 after line 11, insert the following:

30
31 **"SECTION 11. Appropriation.** In addition to any other
32 appropriation, there is hereby appropriated, out of any moneys in the
33 general fund not otherwise appropriated, to the judicial department, for
34 the fiscal year beginning July 1, 2006, the sum of nineteen thousand six
35 hundred eighty-two dollars (\$19,682) and 0.4 FTE, or so much thereof as
36 may be necessary, for probation and related services.".

37
38 Renumber succeeding sections accordingly.

39
40
41
42 **HB06-1013** be referred to the Committee of the Whole with favorable
43 recommendation.

44
45
46 **HB06-1151** be amended as follows, and as so amended, be referred to
47 the Committee of the Whole with favorable
48 recommendation:

49
50 Amend the Corrected Judiciary Committee Report, dated February 9,
51 2006, page 3, line 6, strike "'06-1151,.'" and substitute "'06-1151,','";

52
53 strike lines 7 through 11, and substitute the following:

54
55 "line 22, strike "_____ DOLLARS (\$)." and substitute "EIGHTY-SEVEN
56 THOUSAND ONE HUNDRED NINETY-FOUR DOLLARS (\$87,194).";

1 line 27, strike "_____ DOLLARS (\$)." and substitute "SIXTY-NINE
2 THOUSAND SEVEN HUNDRED FIFTY-FIVE DOLLARS (\$69,755)."
3
4 Page 4, line 4, strike "_____ DOLLARS (\$)." and substitute "TWENTY-SIX
5 THOUSAND EIGHT HUNDRED THIRTEEN DOLLARS (\$26,813).";
6
7 strike lines 5 through 9;
8
9 line 10, strike "(II)" and substitute "(c)";
10
11 line 13, strike "_____ DOLLARS (\$)." and substitute "FORTY-EIGHT
12 THOUSAND TWO HUNDRED SIXTY-THREE DOLLARS (\$48,263).";
13
14 strike lines 14 through 18;
15
16 line 19, strike "(II)" and substitute "(d)";
17
18 line 22, strike "_____ DOLLARS (\$)." and substitute "FORTY-EIGHT
19 THOUSAND TWO HUNDRED SIXTY-THREE DOLLARS (\$48,263).";
20
21 strike lines 23 through 27.
22
23 Page 5, strike "(II)" and substitute "(e)";
24
25 line 4, strike "_____ DOLLARS (\$)." and substitute "FORTY-EIGHT
26 THOUSAND TWO HUNDRED SIXTY-THREE DOLLARS (\$48,263).";
27
28 strike lines 5 through 8, and substitute the following:
29
30 "SECTION 3. 24-75-302 (2) (s) and (2) (t), Colorado Revised
31 Statutes, are amended to read:";
32
33 line 11, strike "July 1, ~~2008~~ 2010," and substitute "July 1, 2008,".
34
35 Page 6, line 8, strike "_____ DOLLARS" and substitute "EIGHTY-SEVEN
36 THOUSAND ONE HUNDRED NINETY-FOUR DOLLARS";
37
38 line 9, strike "06-____," and substitute "06-1151,";
39
40 line 18, strike "_____ DOLLARS PURSUANT TO H.B. 06-____," and
41 substitute "SIXTY-NINE THOUSAND SEVEN HUNDRED FIFTY-FIVE DOLLARS
42 PURSUANT TO H.B. 06-1151,";
43
44 strike lines 21 through 27.
45
46 Page 7, strike lines 1 through 4."
47
48
49
50 **HB06-1170** be amended as follows, and as so amended, be referred to
51 the Committee of the Whole with favorable
52 recommendation:
53
54 Strike the Health and Human Services Committee Report, dated February
55 13, 2006, and substitute the following:
56

1 "Amend printed bill, strike everything below the enacting clause and
2 substitute the following:
3

4 **SECTION 1.** Article 1 of title 6, Colorado Revised Statutes, is
5 amended BY THE ADDITION OF A NEW SECTION to read:
6

7 **6-1-715. Complementary and alternative health care practices.**

8 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
9 REQUIRES:
10

11 (a) "ALTERNATIVE HEALTH CARE PROVIDER" MEANS A PERSON
12 ENGAGED IN PROVIDING COMPLEMENTARY AND ALTERNATIVE HEALTH
13 CARE SERVICES, INCLUDING, BUT NOT LIMITED TO, NATURAL HEALING
14 THERAPIES.
15

16 (b) "COMPLEMENTARY AND ALTERNATIVE HEALTH CARE
17 SERVICES" MEANS HEALTH CARE AND HEALING ARTS THERAPIES THAT ARE
18 NOT PROHIBITED BY SUBSECTION (2) OF THIS SECTION AND ARE PROVIDED
19 BY AN ALTERNATIVE HEALTH CARE PROVIDER.
20

21 (2) AN ALTERNATIVE HEALTH CARE PROVIDER SHALL NOT VIOLATE
22 TITLE 12, C.R.S., OR ANY OTHER LAW REGULATING A HEALTH CARE
23 PROFESSION OR OCCUPATION. ENGAGING IN PROVIDING COMPLEMENTARY
24 AND ALTERNATIVE HEALTH CARE SERVICES SHALL NOT BE CONSIDERED TO
25 BE ENGAGING IN THE PRACTICE OF MEDICINE. IN ADDITION TO ANY OTHER
26 DECEPTIVE TRADE PRACTICES UNDER SECTION 6-1-105 OR THIS PART 7, AN
27 ALTERNATIVE HEALTH CARE PROVIDER SHALL BE CONSIDERED TO HAVE
28 ENGAGED IN A DECEPTIVE TRADE PRACTICE WHEN SUCH PROVIDER:
29

30 (a) PERFORMS SURGERY OR ANY OTHER PROCEDURE THAT
31 HARMFULLY PUNCTURES THE SKIN OF A PATIENT;
32

33 (b) PRESCRIBES OR ADMINISTERS X-RAY RADIATION TO A PATIENT;
34

35 (c) PRESCRIBES OR ADMINISTERS A PRESCRIPTION DRUG,
36 PRESCRIBED MEDICAL DEVICE, OR CONTROLLED SUBSTANCE TO A PATIENT;
37

38 (d) PERFORMS A CHIROPRACTIC ADJUSTMENT OF THE
39 ARTICULATIONS OF JOINTS OR THE SPINE OF A PATIENT;
40

41 (e) PRACTICES ON THE PREMISES OF A MASSAGE PARLOR, AS THAT
42 TERM IS DEFINED IN SECTION 12-48.5-103, C.R.S., OR REPRESENTS THAT
43 THE PROVIDER ENGAGES IN MASSAGE;
44

45 (f) STATES, ADVERTISES, OR OTHERWISE HOLDS OUT TO ANY
46 PERSON THAT HE OR SHE IS A HEALTH CARE PRACTITIONER LICENSED,
47 CERTIFIED, OR REGISTERED BY THIS STATE;
48

49 (g) USES THE TITLE "PHYSICIAN" OR "SURGEON", THE
50 ABBREVIATION M.D., D.O., P.T., D.C., OR L.P.T., OR ANY OTHER TITLE,
51 WORD, OR ABBREVIATION THE USE OF WHICH IS LIMITED UNDER TITLE 12,
52 C.R.S., AND THAT TENDS TO INDICATE OR INDUCE OTHERS TO BELIEVE
53 THAT HE OR SHE IS LICENSED, CERTIFIED, OR REGISTERED AS A HEALTH
54 CARE PROVIDER IN COLORADO; OR
55
56

1 (h) RECOMMENDS THE DISCONTINUANCE OF ANY MEDICALLY
2 PRESCRIBED DRUG OR MEDICALLY PRESCRIBED TREATMENT.

3
4 (3) AN ALTERNATIVE HEALTH CARE PROVIDER WHO ADVERTISES
5 OR CHARGES A FEE FOR COMPLEMENTARY AND ALTERNATIVE HEALTH
6 CARE SERVICES SHALL PROVIDE THE FOLLOWING INFORMATION IN WRITING
7 TO EACH PATIENT:

8
9 (a) THE ALTERNATIVE HEALTH CARE PROVIDER'S NAME, BUSINESS
10 ADDRESS, AND TELEPHONE NUMBER;

11
12 (b) A STATEMENT THAT HE OR SHE IS NOT LICENSED, CERTIFIED, OR
13 REGISTERED AS A HEALTH CARE PROVIDER IN COLORADO;

14
15 (c) THE NATURE OF THE SERVICES TO BE PROVIDED; AND

16
17 (d) ANY DEGREES, TRAINING, EXPERIENCE, CREDENTIALS, OR
18 OTHER QUALIFICATIONS OF THE PROVIDER, INCLUDING WHETHER OR NOT
19 SUCH DEGREES WERE AWARDED BY INSTITUTIONS ACCREDITED BY A
20 REGIONAL OR PROFESSIONAL ACCREDITING AGENCY RECOGNIZED BY THE
21 UNITED STATES DEPARTMENT OF EDUCATION OR THE COUNCIL ON
22 POSTSECONDARY ACCREDITATION OR RECOGNIZED AS A CANDIDATE FOR
23 ACCREDITATION BY SUCH AN AGENCY.

24
25 (4) AN ALTERNATIVE HEALTH CARE PROVIDER SHALL OBTAIN A
26 WRITTEN ACKNOWLEDGMENT FROM THE PATIENT STATING THAT THE
27 PATIENT HAS BEEN PROVIDED THE INFORMATION DESCRIBED IN
28 SUBSECTION (3) OF THIS SECTION. THE ACKNOWLEDGMENT SHALL BE
29 MAINTAINED BY THE PROVIDER FOR FIVE YEARS AFTER THE LAST SERVICES
30 PROVIDED TO THE PATIENT.

31
32 **SECTION 2. Effective date.** (1) This act shall take effect
33 January 1, 2007.

34
35 (2) However, if a referendum petition is filed against this act or
36 an item, section, or part of this act during the 90-day period after final
37 adjournment of the general assembly that is allowed for submitting a
38 referendum petition pursuant to article V, section 1 (3) of the state
39 constitution, then the act, item, section, or part, shall not take effect unless
40 approved by the people at a biennial regular general election and shall
41 take effect on the date specified in subsection (1) or on the date of the
42 official declaration of the vote thereon by proclamation of the governor,
43 whichever is later."

44
45
46
47 **HB06-1211** be amended as follows, and as so amended, be referred to
48 the Committee of the Whole with favorable
49 recommendation:

50
51 Amend the Health and Human Services Committee Report, dated
52 February 27, 2006, page 1, strike lines 6 through 20.

53
54 Page 2, strike lines 1 through 10 and substitute the following:
55 **"26-4-402.5. Retaliation definition.** (1) FOR PURPOSES OF ANY
56 RULES PROMULGATED BY THE STATE DEPARTMENT OR STATE BOARD AND

1 ANY ACTION TAKEN BY THE STATE DEPARTMENT AGAINST ANY PERSON,
2 "RETALIATION" MEANS TAKING ANY OF";
3
4 line 15, strike "(I)" and substitute "(a)";
5
6 line 16, strike "(II)" and substitute "(b)";
7
8 line 18, strike "(III)" and substitute "(c)";
9
10 line 21, strike "(b)" and substitute "(2)".

11
12
13
14 **HB06-1304** 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 5, after line 4, insert the following:
19

20 "SECTION 6. Part XII (4) (A) (2) and the affected totals of
21 section 2 of chapter 354, Session Laws of Colorado 2005, as amended by
22 House Bill 06-1224, as further amended by House Bill 06-1385, enacted
23 at the Second Regular Session of the Sixty-fifth General Assembly, are
24 amended to read:

25
26 Section 2. Appropriation.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

PART XII

DEPARTMENT OF LOCAL AFFAIRS

4 (4) DIVISION OF LOCAL GOVERNMENT

5 (A) Local Government and Community Services

6 (2) Local Government Services

7 Local Utility Management

8 Assistance

141,880

10 Conservation Trust Fund

11 Disbursements

46,500,000

13 Volunteer Firefighter

14 Retirement Plans

3,770,509

3,977,193

16 Volunteer Firefighter Death

17 and Disability Insurance

18 Environmental Protection

19 Agency Water/Sewer File

20 Project

50,000

50,492,389

50,699,073

46,500,000^b
(2.0 FTE)

141,880^a
(2.0 FTE)

3,748,921^d

21,588^e
228,272^c

30,000^d

50,000
(0.5 FTE)

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

1 ^aThis amount shall be from the Colorado Water Resources and Power Development Authority pursuant to Section 37-95-107.6, C.R.S.

2 ^bThis amount shall be from the net lottery proceeds pursuant to Section 33-60-104 (1) (a), C.R.S.

3 ^c This amount is included for purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution. This
 4 amount is continuously appropriated by a permanent statute or constitutional provision and is not subject to the limitation on General Fund appropriations as set forth in
 5 Section 24-75-201.1, C.R.S.

6 ^d These amounts shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S. These amounts are included as information for purposes of
 7 complying with the limitation on state fiscal year spending imposed by Article X, Section 20, of the State Constitution. As these amounts are continuously appropriated
 8 by a permanent statute or constitutional provision, they are not subject to the limitation on General Fund appropriations as set forth in Section 24-75-201.1, C.R.S.

9 ~~184,617,577~~

10 184,824,261

11 **TOTALS PART XII**

12 **(LOCAL AFFAIRS)**^{4, 5}

\$219,918,266

~~\$4,877,947~~^a

\$3,778,921^c

\$25,776,405

\$100,171,655^b

\$85,313,338

\$220,124,950

\$5,084,631^a

13

14

15 ^a Of this amount, ~~\$21,588~~ \$228,272 is included as information for purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section
 16 20 of the State Constitution. As this amount is continuously appropriated by a permanent statute or constitutional provision, it is not subject to the limitation on General
 17 Fund appropriations as set forth in Section 24-75-201.1, C.R.S.

18 ^b Of this amount, \$5,220,023 contains a (T) notation.

19 ^c This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S. This amount is included as information for purposes of
 20 complying with the limitation on state fiscal year spending imposed by Article X, Section 20, of the State Constitution. As this amount is continuously appropriated by a
 21 permanent statute or constitutional provision, it is not subject to the limitation on General Fund appropriations as set forth in Section 24-75-201.1, C.R.S.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
--------------------	-------	-----------------	---------------------------	---------------	-------------------------	------------------

1 \$ \$ \$ \$ \$ \$
2 **SECTION 7. Adjustment to the 2006 long bill.** For the implementation of this act, the appropriation made in the annual general appropriation act for the
3 fiscal year beginning July 1, 2006, for the department of local affairs, division of local government, for volunteer firefighter retirement plans, from the general fund, is
4 increased by two hundred six thousand six hundred eighty-four dollars (\$206,684). This informational appropriation is to comply with Section 31-30-1112 (2) (i),
5 Colorado Revised Statutes, and is not subject to the limitation on general fund appropriations as set forth in section 24-75-201.1, Colorado Revised Statutes." .

6 Renumber succeeding section accordingly.

7
8 Page 1, line 102, strike "FUNDS." and substitute "FUNDS, AND MAKING AN APPROPRIATION THEREFOR." .

1 **HB06-1359** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 22, after line 4, insert the following:
6 **"SECTION 2. No appropriation.** The general assembly has
7 determined that this act can be implemented within existing
8 appropriations, and therefore no separate appropriation of state moneys
9 is necessary to carry out the purposes of this act."

10
11 Renumber succeeding section accordingly.
12
13
14

15 **HB06-1380** be referred to the Committee of the Whole with favorable
16 recommendation.
17
18
19
20

21 **FINANCE**

22 After consideration on the merits, the Committee recommends the
23 following:
24

25 **HB06-1393** be amended as follows, and as so amended, be referred to
26 the Committee on Appropriations with favorable
27 recommendation:
28

29 Amend printed bill, page 2, strike line 21 and substitute the following:
30

31 "(III) SOIL AND WATER CONSERVATION.";
32

33 line 24, strike "AT" and substitute "PRIOR TO";
34

35 line 27, strike "MATCHING GRANT ACCOUNT, ALSO" and substitute "GRANT
36 FUND CREATED IN SECTION 35-1-106.7, C.R.S."
37

38 Page 3, strike lines 1 through 4 and substitute the following:
39

40 **"SECTION 2.** Article 1 of title 35, Colorado Revised Statutes, is
41 amended BY THE ADDITION OF A NEW SECTION to read:
42

43 **35-1-106.7. Conservation district grant fund.** THERE IS HEREBY
44 CREATED IN THE STATE TREASURY THE CONSERVATION DISTRICT GRANT
45 FUND. THE FUND SHALL CONSIST OF MONEYS TRANSFERRED PURSUANT TO
46 SECTION 39-29-109 (1) (a) (III), C.R.S. MONEYS IN THE FUND ARE
47 SPECIFICALLY AND CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT.
48 THE DEPARTMENT SHALL GRANT MONEYS IN THE FUND TO CONSERVATION
49 DISTRICTS FOR THE PURPOSE OF IMPLEMENTING AND MAINTAINING SOIL
50 AND WATER CONSERVATION EFFORTS. ALL MONEYS CREDITED TO THE
51 FUND AND ALL INTEREST EARNED ON THE INVESTMENT OF MONEYS IN THE
52 FUND SHALL BE A PART OF THE FUND AND SHALL NOT BE TRANSFERRED OR
53 CREDITED TO THE GENERAL FUND OR TO ANY OTHER FUND."
54

55 Renumber succeeding section accordingly.
56

1 line 3 of the committee report, strike "SECTION." and substitute
2 "SECTION."";

3
4 after line 3 of the committee report, insert the following:

5
6 "strike line 23 and substitute the following:

7
8 "(5) ON OR BEFORE MARCH 1, 2007 AND ON OR BEFORE MARCH 1
9 OF EACH YEAR THEREAFTER, THE COMMISSION SHALL REPORT TO THE
10 BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE HOUSE OF
11 REPRESENTATIVES AND THE BUSINESS AFFAIRS, LABOR, AND TECHNOLOGY
12 COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEES, REGARDING
13 THE PERFORMANCE-BASED INCENTIVES AWARDED PURSUANT TO THIS
14 SECTION. THE REPORT SHALL INCLUDE BUT NEED NOT BE LIMITED TO
15 THE";

16
17 strike line 27 and substitute the following:

18
19 "SUCH INFORMATION IS AVAILABLE."";

20
21 line 4 of the committee report, strike "after line 1, insert " and substitute
22 "strike line 1 and substitute";

23
24 line 14 of the committee report, strike "EXPENDED." and substitute
25 "EXPENDED."";

26
27 after line 14 of the committee report, insert the following:

28
29 "(7) (a) THE COMMISSION SHALL NOT ALLOW ANY EMPLOYER THAT
30 HAS BEEN APPROVED TO RECEIVE A PERFORMANCE-BASED INCENTIVE FOR
31 THE CREATION OF NEW JOBS PRIOR TO THE EFFECTIVE DATE OF THIS
32 SECTION TO CLAIM AN INCENTIVE PURSUANT TO THIS SECTION FOR THE
33 SAME JOBS FOR WHICH THE PREVIOUS INCENTIVE WAS APPROVED.

34
35 (b) IN APPROVING AN EMPLOYER TO RECEIVE A
36 PERFORMANCE-BASED INCENTIVE FOR THE CREATION OF NEW JOBS ON OR
37 AFTER THE EFFECTIVE DATE OF THIS SECTION, THE COMMISSION MAY, IN
38 ITS DISCRETION, ALLOW ANY EMPLOYER TO CLAIM AN INCENTIVE
39 PURSUANT TO THIS SECTION IN ADDITION TO ANY OTHER INCENTIVE
40 OFFERED BY THE COMMISSION."";

41
42 after line 15 of the committee report, insert the following:

43
44 ""SECTION 3. 12-47.1-701 (4) (a), Colorado Revised Statutes,
45 is amended to read:

46
47 **12-47.1-701. Limited gaming fund.** (4) (a) At the end of each
48 fiscal year, the state treasurer shall distribute the balance remaining in the
49 limited gaming fund in accordance with the provisions of section 9 (5) (b)
50 (II) of article XVIII of the state constitution; except that:

51
52 (I) For fiscal years commencing prior to July 1, 2003, and for
53 fiscal years commencing on or after July 1, 2004, forty-nine and
54 eight-tenths percent shall be transferred to the general fund of this state
55 and two-tenths of one percent shall be transferred to the Colorado travel
56 and tourism promotion fund created in section 24-49.7-106, C.R.S.;

1 (II) For the 2003-04 ~~state~~ fiscal year, fifty percent shall be
2 transferred to the general fund of the state; AND
3

4 (III) (A) EXCEPT AS OTHERWISE PROVIDED IN SUB-SUBPARAGRAPH
5 (B) OF THIS SUBPARAGRAPH (III), FOR THE 2005-06 FISCAL YEAR, OF THE
6 PORTION OF LIMITED GAMING FUND MONEYS THAT WOULD OTHERWISE BE
7 TRANSFERRED TO THE GENERAL FUND PURSUANT TO SECTION 9 (5) (b) (II)
8 OF ARTICLE XVIII OF THE STATE CONSTITUTION, AFTER THE TRANSFER TO
9 THE LOCAL GOVERNMENT LIMITED GAMING IMPACT FUND REQUIRED BY
10 SECTION 12-47.1-1601, AND AFTER ANY OTHER TRANSFER OR
11 DISTRIBUTION OF THE GENERAL FUND PORTION OF LIMITED GAMING FUND
12 MONEYS REQUIRED BY THIS PARAGRAPH (a), FIVE MILLION DOLLARS SHALL
13 BE TRANSFERRED TO THE COLORADO ECONOMIC DEVELOPMENT
14 COMMISSION CREATED IN SECTION 24-46-102, C.R.S., TO FUND
15 PERFORMANCE-BASED INCENTIVES FOR NEW JOB CREATION PURSUANT TO
16 SECTION 24-46-105.7, C.R.S., BEGINNING IN THE 2006-07 FISCAL YEAR.
17

18 (B) IF, BASED ON THE JUNE REVENUE FORECAST PREPARED BY THE
19 LEGISLATIVE COUNCIL, THE STATE TREASURER DETERMINES THAT THE
20 AMOUNT OF GENERAL FUND REVENUES FOR THE FISCAL YEAR WILL BE
21 INSUFFICIENT TO ALLOW THE MAXIMUM AMOUNT OF GENERAL FUND
22 APPROPRIATIONS PERMITTED BY SECTION 24-75-201.1 (1) (A) (II), C.R.S.,
23 TO BE MADE FOR THAT FISCAL YEAR, THE STATE TREASURER SHALL
24 TRANSFER TO THE GENERAL FUND FROM THE MONEYS THAT WOULD
25 OTHERWISE BE TRANSFERRED TO THE COLORADO ECONOMIC
26 DEVELOPMENT COMMISSION PURSUANT TO SUB-SUBPARAGRAPH (A) OF
27 THIS SUBPARAGRAPH (III) AT THE END OF THE FISCAL YEAR AN AMOUNT
28 EQUAL TO THE LESSER OF THE FULL AMOUNT THAT WOULD OTHERWISE BE
29 TRANSFERRED TO THE COLORADO ECONOMIC DEVELOPMENT COMMISSION
30 OR THE AMOUNT NECESSARY TO ALLOW THE MAXIMUM AMOUNT OF
31 GENERAL FUND APPROPRIATIONS TO BE MADE FOR THE FISCAL YEAR.
32

33 **SECTION 4. Appropriation.** In addition to any other
34 appropriation, there is hereby appropriated, out of any moneys in the
35 limited gaming fund created in section 12-47.1-701 (1), Colorado Revised
36 Statutes, not otherwise appropriated, to the office of the governor, for
37 allocation to the Colorado economic development commission, for the
38 fiscal year beginning July 1, 2006, the sum of five million dollars
39 (\$5,000,000), or so much thereof as may be necessary, for the
40 implementation of this act.";
41

42 line 16 of the committee report, strike ""SECTION 3." and substitute
43 "SECTION 5."
44

45 Page 2 of the committee report, after line 1, insert the following:
46 "Page 1, line 103, strike "STATE." and substitute "STATE, AND MAKING AN
47 APPROPRIATION THEREFOR."."
48

49
50
51 **HB06-1057** be amended as follows, and as so amended, be referred to
52 the Committee of the Whole with favorable
53 recommendation:
54

55 Amend the Judiciary Committee Report, dated February 2, 2006, page 1,
56 before line 1, insert the following:

1 "Amend printed bill, page 2, strike lines 2 through 4 and substitute the
2 following:
3
4 **"SECTION 2.** 18-9-202, Colorado Revised Statutes, is amended
5 BY THE ADDITION OF A NEW SUBSECTION to read:";
6
7 strike lines 7 through 12 and substitute the following:
8
9 **"prohibited - offenses.** (2.3) A PERSON MAY NOT OWN AN ANIMAL AFTER
10 THE PERSON HAS";";
11
12 line 1 of the committee report, strike "Amend printed bill, page 2,";
13
14 after line 2 of the committee report, insert the following:
15
16 "strike line 16 and substitute the following:
17
18 **"SECTION 3.** 18-9-204.5 (2) (b) and (3) (b),"";
19
20 after line 5 of the committee report, insert the following:
21
22 "Page 3, line 25, strike "1" and substitute "2";
23
24 strike lines 26 and 27 and substitute the following:
25
26 "violation under this paragraph (b) commits a class 2 1 misdemeanor."";
27
28 strike line 6 of the committee report and substitute the following:
29
30 "Page 4, strike lines 1 through 12 and substitute the following:";
31
32 line 10 of the committee report, after "BITES", insert "THAT INFLICTED
33 SERIOUS BODILY INJURY UPON A PERSON OR DOMESTIC ANIMAL AND";
34
35 line 17 of the committee report, strike "BODILY INJURY OR" and substitute
36 "THE";
37
38 after line 21 of the committee report, insert the following:
39
40 "Page 5, strike lines 7 through 27.
41
42 Strike pages 6 through 8 and substitute the following:
43
44 **"SECTION 4. Appropriation.** In addition to any other
45 appropriation, there is hereby appropriated, out of any moneys in the
46 general fund not otherwise appropriated, to the department of agriculture,
47 for the fiscal year beginning July 1, 2006, the sum of forty thousand four
48 hundred forty-two dollars (\$40,442) and 0.1 FTE, or so much thereof as
49 may be necessary, for the implementation of this act."
50
51 Renumber succeeding sections accordingly."
52
53
54
55

1 **HB06-1384** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend the Agriculture, Livestock & Natural Resources Committee
6 Report, dated April 5, 2006, page 1, before line 1, insert the following:
7

8 "Amend printed bill, page 2, line 17, after "(a)" insert "(I)".";
9

10 line 1, strike "Amend printed bill, page" and substitute "Page";
11

12 line 3, strike ""(I)" and substitute ""(A)";
13

14 line 6, strike "(II)" and substitute "(B)";
15

16 line 8, strike "SUBPARAGRAPH (I) OF THIS PARAGRAPH (a)," and substitute
17 "SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (I),";
18

19 line 10, after "PUEBLO;", insert "AND";
20

21 line 11, strike "(III)" and substitute "(C)";
22

23 line 13, strike "SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (a)," and
24 substitute "SUB-SUBPARAGRAPHS (A) AND (B) OF THIS SUBPARAGRAPH
25 (I),";
26

27 line 16, strike "FAIR; AND" and substitute "FAIR.";
28

29 line 17, strike "(IV)" and substitute "(II)";
30

31 line 19, strike "SUBPARAGRAPHS (I), (II), AND (III)" and substitute
32 "SUB-SUBPARAGRAPHS (A), (B), AND (C) OF SUBPARAGRAPH (I)".
33

34 Page 2, after line 3, insert the following:
35

36 "Page 5, after line 19, insert the following:
37

38 **SECTION 3. Appropriation - adjustments to the 2006 long**
39 **bill.** (1) In addition to any other appropriation, there is hereby
40 appropriated, to the department of agriculture, for allocation to the
41 Colorado state fair, for the fiscal year beginning July 1, 2006, the sum of
42 three million one hundred sixty-three thousand nine hundred seventy-
43 eight dollars (\$3,163,978), or so much thereof as may be necessary, for
44 the implementation of this act. Said sum shall be cash funds from the
45 Colorado travel and tourism promotion fund created in section 24-49.7-
46 106, Colorado Revised Statutes.

47 (2) For the implementation of this act, appropriations made in the
48 annual general appropriation act for the fiscal year beginning July 1,
49 2006, shall be adjusted as follows:
50

51 (a) The appropriation to the office of the governor, economic
52 development programs, Colorado promotion - other promotion programs,
53 for the fiscal year beginning July 1, 2006, is decreased by two million
54 three hundred thousand dollars (\$2,300,000) and 3.0 FTE. Said sum shall
55 be cash funds from the Colorado travel and tourism promotion fund
56 created in section 24-49.7-106, Colorado Revised Statutes."

1 Renumber succeeding sections accordingly.

2

3 Page 1, line 103, strike "FAIR." and substitute "FAIR, AND MAKING AN
4 APPROPRIATION THEREFOR.".

5

6

7

8

9 **BUSINESS AFFAIRS & LABOR**

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

12

13 **HB06-1388** 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, line 4, after "DIRECTOR", insert "OR THE
18 EXECUTIVE DIRECTOR'S DESIGNEE";

19

20 line 19, strike "24-4-106 (11)," and substitute "24-4-106,".

21

22 Page 4, line 3, after "PAY", insert "THE DEPARTMENT OF REVENUE";

23

24 line 5, strike "12-6-120.3 (4)." and substitute "12-6-120.".

25

26

27

28 **SB06-105** be amended as follows, and as so amended, be referred to
29 the Committee on Appropriations with favorable
30 recommendation:

31

32 Amend reengrossed bill, page 8, line 3, strike "PROGRAM." and substitute
33 "PROGRAM, SUCH AS THE NATIONAL ELEVATOR INDUSTRY EDUCATION
34 PROGRAM OR THE NATIONAL ASSOCIATION OF ELEVATOR CONTRACTORS'
35 CERTIFIED ELEVATOR TECHNICIAN PROGRAM.".

36

37 Page 14, line 8, strike "CODE." and substitute "CODE AND SHALL BE
38 ADOPTED IN ACCORDANCE WITH STANDARD ELEVATOR SAFETY CODES,
39 SUCH AS CODES A17.1 (ELEVATOR INSTALLATION), A17.2 (ELEVATOR
40 INSPECTIONS), A17.3 (ELEVATOR SAFETY), AND A18.1 (PLATFORM LIFTS
41 AND WHEELCHAIR STAIR LIFTS) OF THE AMERICAN SOCIETY OF
42 MECHANICAL ENGINEERS (ASME), STANDARD 21 (AUTOMATED PEOPLE
43 MOVERS) OF THE AMERICAN SOCIETY OF CIVIL ENGINEERS (ASCE),
44 STANDARD A.10.4 (PERSONNEL HOIST), AND STANDARD A.10.5 (MATERIAL
45 HOIST) OF THE AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI).".

46

47

48

MESSAGE FROM THE GOVERNOR

49

50 I certify I received the following on the 13th day of April, 2006, at
51 4:25 p.m. The original is on file in the records of the House of
52 Representatives of the General Assembly.

53

54

55

56

Marilyn Eddins,
Chief Clerk of the House

1 April 13, 2006

2

3 The Honorable Colorado House of Representatives

4 Sixty-Fifth General Assembly

5 Second Regular Session

6 State Capitol

7 Denver, CO 80203

8

9 Ladies and Gentlemen:

10

11 I am returning to the House of Representatives H.B. 06-1077, "Concerning
12 Risk-Shifting Provisions in a Private Construction Contract That Address the
13 Indemnification of a Person Against Liability for Damages Caused by the Sole
14 Negligence of the Indemnified Person." I vetoed this bill as of 1:01 p.m. today
15 and this letter sets forth my reasons for doing so.

16

17 In recent years, legislation has been introduced in an attempt to place limitations
18 on the transfer of risk provisions in private construction contracts. Under
19 current law, no party is compelled to sign a contract with unfavorable
20 indemnification or insurance terms. It is common practice in construction
21 contracts for one party to assume responsibility and indemnify the other party
22 from liability arising from damage incurred on the job. The level of
23 responsibility each party assumes is negotiated between the private parties.
24 Unfortunately, House Bill 1077 interferes with this right to freely contract.

25

26 House Bill 1077 purports to add a measure of protection in these contracts by
27 prohibiting one party from assuming all liability for damages wholly incurred
28 by the other party's negligence. In reality, the changes proposed by this
29 legislation provide little relief to the subcontracting community due to a
30 virtually impossible standard of finding and proving one party is 100%
31 responsible for damages.

32

33 Moreover, House Bill 1077 is silent with regard to defense costs or insurance.
34 Therefore, in spite of the protections provided in this proposal, if a general
35 contractor is found to be the sole cause of claimed losses, a subcontractor can
36 still be required to pay the expense of the general contractor's defense costs.
37 Similarly, if a general contractor names another party as an additional insured,
38 the other party may still be required to pay the full amount of the general
39 contractor's claim.

40

41 I remain opposed to governmental interference in the negotiation practices of
42 private parties. In addition, while I applaud the proponents' attempt to develop
43 a compromise, this bill suffers from lack of industry consensus and buy-in.

44

45 Accordingly, I have vetoed this bill.

46

47 Sincerely,

48 (signed)

49 Bill Owens

50

51

52 April 13, 2006

53

54 The Honorable Colorado House of Representatives

55 Sixty-Fifth General Assembly

56 Second Regular Session

1 State Capitol
2 Denver, CO 80203

3
4 Ladies and Gentlemen:

5
6 I am returning to the House of Representatives House Bill 06-1148,
7 "Concerning a Prohibition Against the Shifting of Financial Responsibility for
8 Negligence in Construction Agreements." I vetoed this bill as of 1:03 p.m.
9 today and this letter sets forth my reasons for doing so.

10
11 H.B. 1148 purports to inject an additional degree of fairness into private
12 construction contract agreements by placing statutory limitations on the
13 obligation of one party to indemnify and assume liability for damages on behalf
14 of another party. An almost identical proposal crossed my desk last year in the
15 form of S.B. 05-142 and that bill was vetoed. H.B. 1148 fails to sufficiently
16 address the concerns I outlined last year.

17
18 Under current law, there is no obligation for any party to sign a contract with
19 insurance or indemnification terms that are deemed unacceptable. The ability
20 of private parties to contract freely is an integral part of a market economy.
21 Private parties, not government, should dictate the terms and conditions of
22 private construction contracts.

23
24 I believe that general contractors, investors and property owners must be able
25 to retain the right to bargain for risk transference and insurance protection from
26 subcontractors, who typically are responsible for performing much of the work
27 and providing much of the labor at a jobsite. H.B. 1148 may also have the effect
28 of adding an additional layer of litigation to construction lawsuits. Under the
29 current system, which allows for indemnification and additional insureds to
30 assume risk, little time is spent in a construction liability suit apportioning fault
31 among the parties This bill will only further congest an already over crowded
32 and overworked judicial system and serve to raise costs for all parties.

33
34 Accordingly, I have vetoed this bill.

35
36 Sincerely,
37 (signed)
38 Bill Owens

39 _____
40
41

42 April 13, 2006

43
44 The Honorable Colorado House of Representatives
45 Sixty-Fifth General Assembly
46 Second Regular Session
47 State Capitol
48 Denver, CO 80203

49
50 Ladies and Gentlemen:

51
52 I am returning to the House of Representatives House Bill 06-1174,
53 "Concerning Workers' Compensation Coverage for Workers in the
54 Construction Industry." I vetoed this bill as of 1:02 p.m. today and this letter
55 sets forth my reasons for doing so.

56

1 House Bill 1174 would require every person who works on a construction site
2 to be covered by workers' compensation insurance. According to Section 8-41-
3 401, C.R.S., general contractors are already required by law to have workers'
4 compensation insurance. Independent contractors are currently exempt from
5 this requirement. While I appreciate the sponsors' efforts to amend the bill
6 based on my veto message from last year, I remain concerned about certain
7 adverse consequences of the bill.

8
9 First, H.B. 1174 singles out the construction industry by creating higher
10 standards, rules, and regulations for independent contractors than currently exist
11 for any other industry. These regulations would collectively add millions of
12 dollars in new expenses to small, individual businesses that have historically
13 been able to opt out of workers' compensation coverage. The financial burdens
14 imposed by H.B. 1174 will not only hurt existing contractors, but will also serve
15 as a barrier to entry into the trade. Further, these higher costs of doing business
16 will naturally lead to higher prices for consumers—everyday Coloradans who
17 wish to build new homes or renovate commercial properties.

18
19 In addition, H.B. 1174 hurts consumers in another way—by making individual
20 property and business owners liable for costly fines (up to \$500 per incident,
21 per day). The effect will be to discourage property owners from hiring small,
22 independent contractors.

23
24 H.B. 1174 attempts to implement a “one size fits all” solution for the
25 construction industry. Its financial and regulatory hurdles will hurt independent
26 contractors, property owners, and our communities.
27 Accordingly, I have vetoed this bill.

28
29 Sincerely,
30 (signed)
31 Bill Owens

32
33
34 April 13, 2006

35
36 The Honorable Colorado House of Representatives
37 Sixty-Fifth General Assembly
38 Second Regular Session
39 State Capitol
40 Denver, CO 80203

41
42 Ladies and Gentlemen:

43
44 I am filing with the Secretary of State House Bill 06-1212, “Concerning
45 Authority of a Pharmacist Regarding Emergency Contraception.” I vetoed this
46 bill as of 1:44 p.m. today and this letter sets forth my reasons for doing so.

47
48 House Bill 1212 would allow pharmacists to prescribe emergency contraception
49 without a physician's prescription. I believe this strays radically from the
50 accepted norms of medicine and is not in the best interests of Coloradans. I
51 agree with Governor George Pataki of New York who vetoed a similar bill,
52 stating that such a policy “represents a departure from the tradition and accepted
53 standards” of how prescription drugs are dispensed.

54
55

1 This bill would also allow minors to obtain emergency contraception without
2 the involvement of a physician, parent or guardian. I believe it is irresponsible
3 to allow minors to obtain emergency contraception without the counsel and
4 guidance that could be provided by a doctor.

5

6 In contrast, consider that daily birth control pills can only be dispensed with a
7 doctor's prescription. However, if House Bill 1212 became law, a 13-year-old
8 girl could use emergency contraception as a form of regular birth control
9 without a doctor's consultation.

10

11 I am also concerned that H.B. 1212 does not adequately safeguard the right of
12 pharmacists to refuse to dispense the drug for any reason. While proponents of
13 this bill argue that it would not *require* pharmacists to prescribe emergency
14 contraception, only *allow* them to do so, they opposed amendments prohibiting
15 employers from terminating or disciplining a pharmacist for refusing to
16 dispense emergency contraception.

17

18 It is important to point out that regardless of this veto, access to emergency
19 contraception will continue to be commonly and widely available with a
20 physician's prescription.

21

22 Accordingly, I have vetoed this bill.

23

24 Sincerely,
25 (signed)
26 Bill Owens

27

28

29 April 13, 2006

30

31 To the Honorable
32 House of Representatives
33 Sixty-fifth General Assembly
34 Second Regular Session
35 Denver, CO 80203

36

37 Ladies and Gentlemen:

38

39 I have the honor to inform you that I have approved and filed with
40 the Secretary of State the following Acts:

41

42 **HB06-1016** Concerning The Issuance Of A Temporary Registration
43 For Commercial Movers Of Household Goods.

44

45 Approved April 13, 2006 at 1:05 p.m.

46

47 **HB06-1051** Concerning Elections To Recall Elected Officials.

48

49 Approved April 13, 2006 at 1:07 p.m.

50

51 **HB06-1102** Concerning Changes To Strengthen The State Criminal
52 Procedural Law.

53

54 Approved April 13, 2006 at 1:10 p.m.

55

- 1 **HB06-1108** Concerning A Requirement That Courts Order Minors
2 Under Eighteen Years Of Age Who Are Convicted Of
3 Traffic Violations Other Than Traffic Infractions To
4 Attend A Driver Improvement School.
5
6 Approved April 13, 2006 at 1:10 p.m.
7
8 **HB06-1109** Concerning Measuring Public School Effectiveness.
9
10 Approved April 13, 2006 at 1:32 p.m.
11
12 **HB06-1115** Concerning Required Information On Collision Damage
13 Waivers In Advertising For Rental Motor Vehicles, And,
14 In Connection Therewith, Requiring Lessors Of Rental
15 Motor Vehicles To Disclose Collision Damage Waiver
16 Rates In Advertising That Includes Rental Rates.
17
18 Approved April 13, 2006 at 1:20 p.m.
19
20 **HB06-1120** Concerning Restrictions On The Authority Of Wineries To
21 Ship Wine To Personal Consumers.
22
23 Approved April 13, 2006 at 1:36 p.m.
24
25 **HB06-1162** Concerning Restrictions On Minor Drivers Under
26 Eighteen Years Of Age.
27
28 Approved April 13, 2006 at 1:38 p.m.
29
30 **HB06-1268** Concerning The Right Of Cemeteries To Reclaim
31 Abandoned Interment Sites.
32
33 Approved April 13, 2006 at 1:40 p.m.
34
35 **HB06-1334** Concerning The Confidentiality Of Evaluations Performed
36 In Proceedings Involving The Allocation Of Parental
37 Responsibilities With Respect To Children.
38
39 Approved April 13, 2006 at 1:42 p.m.
40

41 Sincerely,
42 (signed)
43 Bill Owens
44 Governor

48 LAY OVER OF CALENDAR ITEMS

- 49
50 On motion of Representative Madden, the following items on the
51 Calendar were laid over until April 14, retaining place on Calendar:
52
53 Consideration of Special Orders--**HB06-1280, 1153, 1270, 1343, 1363,**
54 **1381, 1266, 1312, 1365, 1364.**
55 Consideration of Third Reading--**HB06-1352.**

1 Consideration of General Orders--**HB06-1096, HCR06-1001,**
2 **HB06-1322, SB06-114, 066, HB06-1111, 1302, SB06-203, 204, 205,**
3 **037, HB06-1131, 1149, 1283, 1001, 1092, 1158, 1311, 1336, 1387, 1389.**
4 Consideration of Conference Committee Report--**HB06-1159.**
5 Consideration of Senate Amendments--**HB06-1125.**
6 Consideration of Governor's Vetoes--**HB06-1216, 1005, 1023, 1369,**
7 **1371, 1374, 1010, 1056.**

8
9

10

11 On motion of Representative Riesberg, the House adjourned until
12 9:00 a.m., April 14, 2006.

13

14

Approved:
ANDREW ROMANOFF,
Speaker

15

16

17 Attest:

18 MARILYN EDDINS,

19 Chief Clerk