

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

Twenty-seventh Legislative Day

Monday, February 6, 2006

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Representative Cloer.

6

7 The roll was called with the following result:

8

9

Present--61.

10 Excused--Representatives Hefley, Pommer--2.

11 Absent--Representatives Borodkin, Solano--2.

12 Present after roll call--Representatives Borodkin, Hefley, Pommer,
13 Solano.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Berens, the reading of the journal of
19 February 3, 2006, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23

24

MESSAGE FROM THE SENATE

25

26 The Senate has adopted and transmits herewith: SJR06-007

27

28

29

30

INTRODUCTION AND CONSIDERATION OF RESOLUTION

31

32 **SJR06-007** by Senator(s) Lamborn, Gordon, Brophy, Dyer, Evans,
33 Jones, May R., Mitchell, Spence, Wiens; also
34 Representative(s) Hefley, Berens, Cadman, Clapp, Cloer,
35 Harvey, Kerr, King, Knoedler, Liston, Massey, Rose,
36 Stafford--Concerning the recognition of February 6, 2006,
37 as "Ronald Reagan Day" in Colorado.

38

39 (Printed and Placed in members file)

40

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

43

1 On motion of Representative Hefley, the resolution was read at length
 2 and **adopted** by **viva voce** vote.

3
 4 Co-sponsors added: Representatives Balmer, Benefield, Borodkin, Boyd,
 5 Buescher, Butcher, Crane, Decker, Gallegos, Garcia, Gardner, Hall, Hoppe,
 6 Jahn, Larson, Lindstrom, Lundberg, May, McCluskey, Penry, Riesberg,
 7 Schultheis, Stengel, Sullivan, Todd, Welker, White, and Witwer.

8
 9
 10
 11 **THIRD READING OF BILLS--FINAL PASSAGE**

12
 13 The following bills were considered on Third Reading. The titles were
 14 publicly read. Reading of the bill at length was dispensed with by
 15 unanimous consent.

16
 17 **HB06-1038** by Representative(s) Borodkin; also Senator(s) Bacon--
 18 Concerning the Colorado economic development
 19 commission, and, in connection therewith, establishing
 20 minimum standards for recipients of moneys from the
 21 Colorado economic development fund, establishing
 22 reporting requirements for the recipients, and extending
 23 the statutory repeal date for the commission.

24
 25 The question being "Shall the bill pass?".
 26 A roll call vote was taken. As shown by the following recorded vote, less
 27 than a majority of those elected to the House voted in the affirmative and
 28 the bill was declared **lost**.

29
 30

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

48
 49 **HB06-1094** by Representative(s) White; also Senator Teck--
 50 Concerning the notice of valuation of taxable personal
 51 property on oil and gas leaseholds and lands.

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

19 Co-sponsors added: Representatives Buescher, Crane, Harvey, Rose, and
20 Sullivan.

21

22 **HB06-1074** by Representative(s) Solano, Madden; also Senator(s)
23 Johnson--Concerning the waste tire recycling development
24 fee.

25

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

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

30

	YES	48	NO	17	EXCUSED	00	ABSENT	00
31								
32	Balmer	N	Decker	N	Larson	Y	Pommer	Y
33	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
34	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
35	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	N
36	Boyd	Y	Gardner	N	Madden	Y	Schultheis	N
37	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
38	Butcher	Y	Hall	N	Massey	Y	Soper	Y
39	Cadman	N	Harvey	N	May	Y	Stafford	N
40	Carroll M	Y	Hefley	N	McCluskey	Y	Stengel	Y
41	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	N
42	Cerbo	Y	Hoppe	N	McGihon	Y	Todd	Y
43	Clapp	N	Jahn	Y	McKinley	Y	Vigil	Y
44	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
45	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
46	Crane	Y	King	N	Penry	N	White	Y
47	Curry	Y	Knoedler	N	Plant	Y	Witwer	Y
48							Speaker	Y

49 Co-sponsors added: Representatives Benefield, Berens, Boyd, Cerbo, Coleman,
50 Frangas, Garcia, McGihon, Merrifield, Paccione, Plant, Ragsdale, Riesberg,
51 Todd, and Vigil.

52

53 **HB06-1112** by Representative(s) Marshall; also Senator(s) Veiga--
54 Concerning changes to conform Colorado juvenile law to
55 federal law.

56

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

	YES	65	NO	00	EXCUSED	00	ABSENT	00
7	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
8	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
9	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
10	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
11	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
12	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
13	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
14	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
15	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
16	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
17	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
18	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
19	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
20	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
21	Crane	Y	King	Y	Penry	Y	White	Y
22	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
23							Speaker	Y

24 Co-sponsors added: Representatives Berens, Borodkin, Boyd, Carroll M,
 25 Coleman, Hefley, Jahn, Massey, McGihon, Paccione, Stafford, and Todd.

26
 27 **HB06-1136** by Representative(s) Witwer, Berens; also Senator(s)
 28 Shaffer--Concerning a requirement to notify the state
 29 attorney general when a defendant alleges a law is
 30 unconstitutional.

31
 32 The question being "Shall the bill pass?".
 33 A roll call vote was taken. As shown by the following recorded vote, a
 34 majority of those elected to the House voted in the affirmative and the bill
 35 was declared **passed**.

	YES	65	NO	00	EXCUSED	00	ABSENT	00
38	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
39	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
40	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
41	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
42	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
43	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
44	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
45	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
46	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
47	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
48	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
49	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
50	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
51	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
52	Crane	Y	King	Y	Penry	Y	White	Y
53	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
54							Speaker	Y

55 Co-sponsors added: Representatives Carroll T, and Liston.

56

1 **HB06-1137** by Representative(s) Judd; also Senator(s) Shaffer--
2 Concerning amendments to the Colorado probate code.

3
4 Laid over until February 7, 2006 retaining place on Calendar.

5
6 **HB06-1140** by Representative(s) McCluskey; also Senator(s) Veiga--
7 Concerning the registration of trademarks.

8
9 The question being "Shall the bill pass?".

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

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

32 Co-sponsors added: Representatives Berens, Kerr, and Witwer.

33
34 **HB06-1109** by Representative(s) King, Massey; also Senator(s)
35 Grossman--Concerning measuring public school
36 effectiveness.

37
38 The question being "Shall the bill pass?".

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

	YES	65	NO	00	EXCUSED	00	ABSENT	00
44	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
45	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
46	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
47	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
48	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
49	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
50	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
51	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
52	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
53	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
54	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
55	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
56	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y

1	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
2	Crane	Y	King	Y	Penry	Y	White	Y
3	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
4							Speaker	Y

5 Co-sponsors added: Representatives Berens, Carroll T, Hefley, Kerr, Liston,
6 Merrifield, Paccione, Stafford, Todd, Welker, and Speaker.

7
8 **HB06-1121** by Representative(s) Todd, Benefield, Berens, Carroll M.,
9 Decker, Green, Hodge, Marshall, Massey, McKinley,
10 Merrifield, Paccione, Penry, Solano; also Senator(s)
11 Williams, Windels--Concerning recognition of community
12 service performed by students.

13
14 The question being "Shall the bill pass?".
15 A roll call vote was taken. As shown by the following recorded vote, a
16 majority of those elected to the House voted in the affirmative and the bill
17 was declared **passed**.

18	YES	50	NO	15	EXCUSED	00	ABSENT	00
19	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
20	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
21	Berens	Y	Gallegos	Y	Liston	N	Riesberg	Y
22	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	N
23	Boyd	Y	Gardner	N	Madden	Y	Schultheis	N
24	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
25	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
26	Cadman	N	Harvey	N	May	N	Stafford	Y
27	Carroll M	Y	Hefley	N	McCluskey	Y	Stengel	Y
28	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
29	Cerbo	Y	Hoppe	N	McGihon	Y	Todd	Y
30	Clapp	N	Jahn	Y	McKinley	Y	Vigil	Y
31	Cloer	N	Judd	Y	Merrifield	Y	Weissmann	Y
32	Coleman	Y	Kerr	Y	Paccione	Y	Welker	N
33	Crane	N	King	Y	Penry	Y	White	N
34	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
35							Speaker	Y

36
37 Co-sponsors added: Representatives Borodkin, Buescher, Frangas, Gallegos,
38 Garcia, Madden, McCluskey, McGihon, Plant, and Vigil.

39
40 **HB06-1103** by Representative(s) Green, Benefield, Carroll M.,
41 Coleman, Frangas, Lindstrom, McGihon, Merrifield,
42 Todd; also Senator(s) Hanna--Concerning forfeiture
43 provisions in agreements affecting persons in facilities
44 providing residential care.

45
46 The question being "Shall the bill pass?".
47 A roll call vote was taken. As shown by the following recorded vote, a
48 majority of those elected to the House voted in the affirmative and the bill
49 was declared **passed**.

50	YES	62	NO	03	EXCUSED	00	ABSENT	00
51	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
52	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
53	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
54	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
55	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	N
56	Buescher	Y	Green	Y	Marshall	Y	Solano	Y

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

12 Co-sponsors added: Representatives Boyd, Butcher, Cloer, and Garcia.

13
14
15 On motion of Representative Judd, the House resolved itself into
16 Committee of the Whole for consideration of General Orders, and he was
17 called to the Chair to act as Chairman.

18
19
20 **GENERAL ORDERS--SECOND READING OF BILLS**

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

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

29
30 **HB06-1042** by Representative(s) Kerr; also Senator(s) Jones--
31 Concerning the repeal of certain provisions of the "Bank
32 Electronic Funds Act".

33
34 Ordered engrossed and placed on the Calendar for Third Reading and
35 Final Passage.

36
37 **HB06-1048** by Representative(s) Vigil, Coleman, Schultheis, White;
38 also Senator(s) Takis, Hanna, Taylor--Concerning the
39 discipline of persons engaged in an occupation regulated
40 by the division of registrations in the department of
41 regulatory agencies.

42
43 Amendment No. 1, Business Affairs and Labor Report, dated February
44 1, 2006, and placed in member's bill file; Report also printed in House
45 Journal, February 2, pages 171-172.

46
47 Amendment No. 2, by Representative Penry.

48
49 Amend printed bill, page 29, strike lines 25 through 27.

50
51 Page 30, strike lines 1 through 11.

52
53 Renumber succeeding sections accordingly.

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

- 1 **HB06-1106** by Representative(s) Paccione; also Senator Kester--
2 Concerning a prohibition against a coverage exclusion in
3 a sickness and accident insurance policy for injuries
4 sustained while under the influence of a controlled
5 substance.
6
- 7 Amendment No. 1, Business Affairs and Labor Report, dated February
8 1, 2006, and placed in member's bill file; Report also printed in House
9 Journal, February 2, page 172.
10
- 11 As amended, ordered engrossed and placed on the Calendar for Third
12 Reading and Final Passage.
13
- 14 **HB06-1120** by Representative(s) Buescher, Borodkin, Coleman,
15 Curry, Hoppe, McKinley, Plant, White; also Senator(s)
16 Tupa--Concerning restrictions on the authority of wineries
17 to ship wine to personal consumers.
18
- 19 Ordered engrossed and placed on the Calendar for Third Reading and
20 Final Passage.
21
- 22 **HB06-1180** by Representative(s) Soper; also Senator(s) Kester--
23 Concerning the repeal of the dental advisory committee.
24
- 25 Ordered engrossed and placed on the Calendar for Third Reading and
26 Final Passage.
27
- 28 **HB06-1051** by Representative(s) Witwer; also Senator(s) Sandoval--
29 Concerning elections to recall elected officials.
30
- 31 Ordered engrossed and placed on the Calendar for Third Reading and
32 Final Passage.
33
- 34 **HB06-1142** by Representative(s) Cloer, Decker, Kerr, Knoedler; also
35 Senator(s) Williams--Concerning the compensation paid
36 to student election judges.
37
- 38 Ordered engrossed and placed on the Calendar for Third Reading and
39 Final Passage.
40
- 41 **HB06-1152** by Representative(s) Cadman--Concerning a requirement
42 that the results of absentee and early voting be reported by
43 precinct.
44
- 45 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
46 January 31, 2006, and placed in member's bill file; Report also printed in
47 House Journal, February 2, page 179.
48
- 49 As amended, laid over until February 7, retaining place on Calendar.
50
- 51 On motion of Representative Madden, the remainder of the General
52 Orders Calendar (**HB06-1156, 1188, 1175, 1141, 1081, 1104, 1125**) was
53 laid over until February 7, retaining place on Calendar.
54
55
56
-

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

2
3 Passed Second Reading: **HB06-1042, 1048 amended, 1106 amended,**
4 **1120, 1180, 1051, 1142.**

5
6 Laid over until date indicated retaining place on Calendar: **HB06-1152**
7 **amended, 1156, 1188, 1175, 1141, 1081, 1104, 1125**--February 7, 2006.

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

13
14

YES	64	NO	00	EXCUSED	00	ABSENT	01
Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
Berens	-	Gallegos	Y	Liston	Y	Riesberg	Y
Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
Buescher	Y	Green	Y	Marshall	Y	Solano	Y
Butcher	Y	Hall	Y	Massey	Y	Soper	Y
Cadman	Y	Harvey	Y	May	Y	Stafford	Y
Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
Crane	Y	King	Y	Penry	Y	White	Y
Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
						Speaker	Y

15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

33
34 **REPORT OF COMMITTEE OF REFERENCE**

35
36 **BUSINESS AFFAIRS & LABOR**

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

39
40 **HB06-1017** be amended as follows, and as so amended, be referred to
41 the Committee on Appropriations with favorable
42 recommendation:

43
44 Amend printed bill, page 5, line 4, strike "2017," and substitute "2011,".

45
46 Page 7, line 10, strike "INCENTIVE." and substitute "INCENTIVE, SUBJECT
47 TO THE LIMITATIONS SPECIFIED IN SUBSECTION (6) OF THIS SECTION.".

48
49 Page 8, after line 1, insert the following:

50
51 "(6) THE TOTAL AMOUNT OF PERFORMANCE-BASED INCENTIVES
52 THAT THE COMMISSION ISSUES PURSUANT TO THIS SECTION IN ANY FISCAL
53 YEAR SHALL NOT EXCEED THE AMOUNT APPROPRIATED TO THE
54 COMMISSION TO BE USED FOR THE PURPOSES OF THIS SECTION IN THE
55 APPLICABLE FISCAL YEAR. IF THE COMMISSION RECEIVES APPLICATIONS
56 FOR INCENTIVES THAT EXCEED THE AMOUNT APPROPRIATED BY THE

1 GENERAL ASSEMBLY FOR THE FISCAL YEAR, THE COMMISSION SHALL ISSUE
2 INCENTIVES TO APPLICANTS IN THE ORDER IN WHICH THE COMMISSION
3 RECEIVED THE APPLICATIONS UNTIL THE AMOUNT APPROPRIATED HAS BEEN
4 EXPENDED.";

5

6 after line 5, insert the following:

7 **"SECTION 3. Effective date.** This act shall only take effect if
8 the general assembly appropriates, in the 2006-07 fiscal year, an amount
9 of up to five million dollars to the Colorado economic development
10 commission to be used for the purposes of this act.".

11

12 Renumber succeeding section accordingly.

13

14

15 PRINTING REPORT

16

17 The Chief Clerk reports the following bills have been correctly printed:
18 **HB06-1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315.**

19

20

21 MESSAGE FROM THE SENATE

22

23 The Senate has adopted and returns herewith: HJR06-1011.

24

25

26 MESSAGE FROM THE GOVERNOR

27

28 I certify I received the following on the 3rd day of February, 2006, at
29 4:50 p.m. The original is on file in the records of the House of
30 Representatives of the General Assembly.

31

32

33 February 3, 2006

Marilyn Eddins,
Chief Clerk of the House

34

35 To the Honorable
36 House of Representatives
37 Sixty-fifth General Assembly
38 Second Regular Session
39 Denver, CO 80203

40

41 Ladies and Gentlemen:

42

43 I have the honor to inform you that I have approved and filed with the
44 Secretary of State the following Act:

45

46 **HB06-1200** Concerning Energy-Related Assistance To Low-Income
47 Households From The Proceeds Of The Operational
48 Account Of The Severance Tax Trust Fund, And Making
49 An Appropriation In Connection Therewith.

50

51 Approved February 3, 2006 at 3:45 p.m.

52 Sincerely,

53 (signed)

54 Bill Owens

55 Governor

56

1 House in recess. House reconvened.
2
3
4

5 **MESSAGE FROM THE SENATE**
6

7 The Senate has passed on Third Reading and transmitted to the Revisor
8 of Statutes: SB06-053, SB06-095, SB06-084, SB06-005, SB06-032,
9 SB06-113,
10 SB06-41, amended as printed in Senate Journal, February 3, 2006,
11 page 123,
12 SB06-56, amended as printed in Senate Journal, February 3, 2006,
13 page 124,
14 SB06-70, amended as printed in Senate Journal, February 3, 2006,
15 page 124,
16 SB06-62, amended as printed in Senate Journal, February 3, 2006,
17 page 125.
18
19

20 **MESSAGE FROM THE REVISOR**
21

22 We herewith transmit:
23 Without comment, SB06-053, 095, 084, 005, 032, and 113.
24 Without comment, as amended, SB06-041, 056, 070, and 062.
25
26

27 **INTRODUCTION OF BILLS**
28 **First Reading**
29

30 The following bills were read by title and referred to the committee
31 indicated:
32

33 **HB06-1316** by Representative(s) Solano, Benefield, Borodkin,
34 Butcher, Cerbo, Coleman, Frangas, Green, Hodge,
35 Lindstrom, Madden, McFadyen, Merrifield, Paccione,
36 Plant, Pommer, Ragsdale, Soper, Vigil, Weissmann, Todd;
37 also Senator(s) Tochtrop, Shaffer--Concerning health care
38 expenditures paid by an employer for employees.
39

40 Committee on Business Affairs and Labor
41
42

43 **HB06-1317** by Representative(s) Madden--Concerning the
44 development of state energy planning information, and, in
45 connection therewith, making an appropriation.

46 Committee on Transportation & Energy

47 Committee on Appropriations
48

49 **SB06-005** by Senator(s) Windels, Kester, Takis; also
50 Representative(s) Solano, Jahn--Concerning mental health
51 services coverage under health benefit plans.

52 Committee on Health and Human Services
53
54
55

- 1 **SB06-032** by Senator(s) Jones; also Representative(s) Balmer--
2 Concerning in-state tuition for dependents of members of
3 the military.
4 Committee on Education
5
- 6 **SB06-041** by Senator(s) Veiga; also Representative(s) Coleman,
7 Cadman, Carroll M.--Concerning the application of the
8 health insurance prompt pay provisions to claims made as
9 a result of a motor vehicle accident.
10 Committee on Business Affairs and Labor
11
- 12 **SB06-053** by Senator(s) Takis; also Representative(s) Lindstrom--
13 Concerning an expansion in the residential lot size for
14 which county governments are authorized to provide for
15 the removal of overgrown vegetation.
16 Committee on Local Government
17
- 18 **SB06-056** by Senator(s) Bacon, McElhany, Windels; also
19 Representative(s) McFadyen, Berens, Riesberg--
20 Concerning authority over proposals for construction of
21 capital improvements.
22 Committee on Appropriations
23
- 24 **SB06-062** by Senator(s) Taylor; also Representative(s) McKinley--
25 Concerning electronic voting by certain electors who are
26 absent from the state on election day.
27 Committee on State, Veterans, & Military Affairs
28
- 29 **SB06-070** by Senator(s) Shaffer; also Representative(s) Plant--
30 Concerning moneys paid by a lessee of personal property
31 for the payment of personal property tax.
32 Committee on Finance
33
- 34 **SB06-084** by Senator(s) Entz; also Representative(s) Curry--
35 Concerning the hiring of a guide who does not possess a
36 first aid card in the event of an emergency situation.
37 Committee on Agriculture, Livestock, & Natural Resources
38
- 39 **SB06-095** by Senator(s) Taylor; also Representative(s) Hodge--
40 Concerning limitations on the transfer of property rights as
41 a means of qualifying electors in special district elections.
42 Committee on Local Government
43
- 44 **SB06-113** by Senator(s) Shaffer, Gordon; also Representative(s)
45 Massey, Borodkin, Crane, Penry--Concerning a
46 prohibition on discrimination by a life insurance company
47 based on an insured's foreign travel.
48 Committee on Business Affairs and Labor
49
50
51
52
53
54
55
56
-

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

INTRODUCTION OF RESOLUTION

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

HJR06-1012 by Representative(s) Plant, Buescher, Hall; also Senator(s) Tapia, Keller, Owen--Concerning the certification by the general assembly of the amount of state education fund revenues that should be considered available for appropriation for the 2006-07 state fiscal year.

LAY OVER OF CALENDAR ITEMS

On motion of Representative Garcia, the following items on the Calendar were laid over until February 7, retaining place on Calendar:

Consideration of Resolutions--**HJR06-1009, SJR06-005, 002.**

On motion of Representative Hefley, the House adjourned until 9:00 a.m., February 7, 2006.

Approved:
ANDREW ROMANOFF,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk