

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

Twenty-first Legislative Day

Tuesday, January 31, 2006

1 Prayer by Pastor Tom Melton, Greenwood Community Church,  
 2 Greenwood Village.

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

5  
 6 Pledge of Allegiance led by Representative Coleman.

7  
 8 The roll was called with the following result:

9  
 10 Present--62.

11 Excused--Representatives McGihon, Plant--2.

12 Absent--Representative Penry--1.

13 Present after roll call--Representatives McGihon, Penry, Plant.

14  
 15 The Speaker declared a quorum present.

16  
 17  
 18 On motion of Representative Benefield, the reading of the journal of  
 19 January 30, 2006, was declared dispensed with and approved as corrected  
 20 by the Chief Clerk.

**THIRD READING OF BILLS--FINAL PASSAGE**

21  
 22  
 23  
 24  
 25 The following bills were considered on Third Reading. The titles were  
 26 publicly read. Reading of the bill at length was dispensed with by  
 27 unanimous consent.

28  
 29 **HB06-1200** by Representative(s) Buescher, Sullivan; also Senator(s)  
 30 Kester, Keller--Concerning energy-related assistance to  
 31 low-income households from the proceeds of the  
 32 operational account of the severance tax trust fund, and  
 33 making an appropriation in connection therewith.

34  
 35 The question being "Shall the bill pass?".

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

39  
 40

YES	58	NO	07	EXCUSED	00	ABSENT	00
Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y

41  
 42  
 43

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

15 Co-sponsors added: Representatives Benefield, Berens, Borodkin, Boyd, Carroll  
16 M, Carroll T, Cloer, Coleman, Frangas, Gallegos, Hodge, Lindstrom, Madden,  
17 Marshall, McCluskey, McGihon, Merrifield, Paccione, Riesberg, Solano,  
18 Stafford, Todd, Vigil, Witwer, and Speaker.

19  
20 **HB06-1087** by Representative(s) Larson, Rose; also Senator(s) Isgar--  
21 Concerning the classification of Montezuma county for  
22 purposes of fixing the salaries of county officers.

23  
24 The question being "Shall the bill pass?".  
25 A roll call vote was taken. As shown by the following recorded vote, a  
26 majority of those elected to the House voted in the affirmative and the bill  
27 was declared **passed**.

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

46 Co-sponsors added: Representatives Berens, Coleman, and Sullivan.

47  
48 **HB06-1061** by Representative(s) Coleman, Schultheis, Vigil, White;  
49 also Senator(s) Takis, Hanna, Taylor--Concerning  
50 complaints by state employees alleging retaliation for  
51 disclosure of information.

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 Berens, Borodkin, Butcher, Cloer, Decker,  
20 Garcia, Green, Jahn, Madden, Marshall, McFadyen, Merrifield, Paccione,  
21 Pommer, and Soper.

22  
23 **HB06-1095** by Representative(s) Weissmann, Garcia, Marshall; also  
24 Senator(s) Hanna, Groff, Takis--Concerning a preference  
25 for the purchase of environmentally preferable products by  
26 governmental entities.

27  
28 The question being "Shall the bill pass?".

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

	YES	43	NO	22	EXCUSED	00	ABSENT	00
33								
34	Balmer	Y	Decker	N	Larson	Y	Pommer	Y
35	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
36	Berens	Y	Gallegos	Y	Liston	N	Riesberg	Y
37	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	N
38	Boyd	Y	Gardner	N	Madden	Y	Schultheis	N
39	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
40	Butcher	Y	Hall	N	Massey	Y	Soper	Y
41	Cadman	N	Harvey	N	May	N	Stafford	N
42	Carroll M	Y	Hefley	N	McCluskey	N	Stengel	N
43	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	N
44	Cerbo	Y	Hoppe	N	McGihon	Y	Todd	Y
45	Clapp	N	Jahn	Y	McKinley	Y	Vigil	Y
46	Cloer	N	Judd	Y	Merrifield	Y	Weissmann	Y
47	Coleman	Y	Kerr	N	Paccione	Y	Welker	N
48	Crane	N	King	N	Penry	Y	White	Y
49	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
50							Speaker	Y

51 Co-sponsors added: Representatives Benefield, Berens, Boyd, Buescher,  
52 Butcher, Carroll M, Coleman, Frangas, Gallegos, Green, Lindstrom, Madden,  
53 McFadyen, McGihon, Merrifield, Paccione, Penry, Plant, Ragsdale, Solano,  
54 Todd, and Vigil.

55  
56

1 **HB06-1009** by Representative(s) Liston; also Senator(s) Spence--  
 2 Concerning an increase in the limit on the amount of  
 3 money to be collected as penalties for delinquent property  
 4 tax payments that the county treasurer is authorized to  
 5 refrain from collecting.  
 6

7 The question being "Shall the bill pass?".  
 8 A roll call vote was taken. As shown by the following recorded vote, a  
 9 majority of those elected to the House voted in the affirmative and the bill  
 10 was declared **passed**.  
 11

	YES	64	NO	01	EXCUSED	00	ABSENT	00
13	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
14	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	N
15	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
16	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
17	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
18	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
19	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
20	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
21	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
22	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
23	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
24	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
25	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
26	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
27	Crane	Y	King	Y	Penry	Y	White	Y
28	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
29							Speaker	Y

30 Co-sponsors added: Representatives Hall, Rose, Stafford, Stengel, and Vigil.  
 31  
 32  
 33  
 34

35 On motion of Representative Paccione, the House resolved itself into  
 36 Committee of the Whole for consideration of General Orders, and she  
 37 was called to the Chair to act as Chairman.  
 38  
 39

#### 40 **GENERAL ORDERS--SECOND READING OF BILLS**

41  
 42 The Committee of the Whole having risen, the Chairman reported the  
 43 titles of the following bills had been read (reading at length had been  
 44 dispensed with by unanimous consent), the bills considered and action  
 45 taken thereon as follows:  
 46

47 (Amendments to the committee amendment are to the printed committee  
 48 report which was printed and placed in the members' bill file.)  
 49

50 **HB06-1038** by Representative(s) Borodkin; also Senator(s) Bacon--  
 51 Concerning the Colorado economic development  
 52 commission, and, in connection therewith, establishing  
 53 minimum standards for recipients of moneys from the  
 54 Colorado economic development fund, establishing  
 55 reporting requirements for the recipients, and extending  
 56 the statutory repeal date for the commission.

1 Amendment No. 1, Business Affairs and Labor Report, dated January 23,  
2 2006, and placed in member's bill file; Report also printed in House  
3 Journal, January 24, page 85.

4  
5 Amendment No. 2, by Representative Borodkin.

6  
7 Amend the Business Affairs and Labor Committee Report, dated January  
8 23, 2006, strike lines 1 through 3 and substitute the following:

9  
10 "Amended printed bill, page 3, strike lines 22 through 24 and substitute  
11 the following:

12  
13 "(I) PAYS ALL OF ITS NEW EMPLOYEES HIRED ON OR AFTER THE  
14 EFFECTIVE DATE OF THIS SECTION A MINIMUM WAGE AS DETERMINED BY  
15 THE COMMISSION;"

16  
17 strike line 6 and substitute the following:

18  
19 "line 25, strike "(II) OFFERS" and substitute "(III) FOR EMPLOYERS THAT  
20 EMPLOY TWENTY-FIVE EMPLOYEES OR MORE, OFFERS";"

21  
22 after line 12, insert the following:

23  
24 "Page 5, line 18, after "OF", insert "NEW";

25  
26 line 20, after "OF", insert "NEW".

27  
28 As amended, ordered engrossed and placed on the Calendar for Third  
29 Reading and Final Passage.

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

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

37 (For change in action, see Amendments to Report, page 145.)

38  
39 **HB06-1056** by Representative(s) Madden; also Senator(s) Hanna--  
40 Concerning the provision of healthy nutrition alternatives  
41 in public schools.

42  
43 Ordered engrossed and placed on the Calendar for Third Reading and  
44 Final Passage.

45  
46 **HB06-1093** by Representative(s) White; also Senator(s) Taylor--  
47 Concerning Colorado northwestern community college.

48  
49 Amendment No. 1, Education Report, dated January 26, 2006, and placed  
50 in member's bill file; Report also printed in House Journal, January 27,  
51 pages 110-111.

52  
53 As amended, ordered engrossed and placed on the Calendar for Third  
54 Reading and Final Passage.

55  
56

1 **HB06-1098** by Representative(s) Cloer; also Senator(s) Keller--  
 2 Concerning the inclusion of mental health in-service  
 3 programs in professional development options for public  
 4 school educators, and, in connection therewith, allowing  
 5 public school educators to receive credit for suicide  
 6 prevention education programs.

7  
 8 Ordered engrossed and placed on the Calendar for Third Reading and  
 9 Final Passage.

10  
 11 **HB06-1074** by Representative(s) Solano, Madden; also Senator(s)  
 12 Johnson--Concerning the waste tire recycling development  
 13 fee.

14  
 15 Amendment No. 1, Finance Report, dated January 26, 2006, and placed  
 16 in member's bill file; Report also printed in House Journal, January 27,  
 17 page 111.

18  
 19 As amended, laid over until February 1, retaining place on Calendar.

20  
 21 **HB06-1063** by Representative(s) Cadman--Concerning clarifying a  
 22 court's ability to impose global position monitoring on  
 23 persons involved in criminal matters.

24  
 25 Ordered engrossed and placed on the Calendar for Third Reading and  
 26 Final Passage.

27  
 28 On motion of Representative Madden, the remainder of the General  
 29 Orders Calendar (**HB06-1094, 1112, 1136, 1137**) was laid over until  
 30 February 1, retaining place on Calendar.

31  
 32  
 33 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

34  
 35 Representatives Penry and King moved to amend the Report of the  
 36 Committee of the Whole to show that **HB06-1056** did not pass:

37  
 38 The amendment was declared **lost** by the following roll call vote:

	YES	30	NO	35	EXCUSED	00	ABSENT	00
40	Balmer	Y	Decker	Y	Larson	N	Pommer	N
41	Benefield	N	Frangas	N	Lindstrom	N	Ragsdale	N
42	Berens	Y	Gallegos	N	Liston	Y	Riesberg	N
43	Borodkin	N	Garcia	N	Lundberg	Y	Rose	Y
44	Boyd	N	Gardner	Y	Madden	N	Schultheis	Y
45	Buescher	Y	Green	N	Marshall	N	Solano	N
46	Butcher	N	Hall	Y	Massey	N	Soper	N
47	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
48	Carroll M	N	Hefley	Y	McCluskey	N	Stengel	Y
49	Carroll T	N	Hodge	N	McFadyen	N	Sullivan	Y
50	Cerbo	N	Hoppe	Y	McGihon	N	Todd	N
51	Clapp	Y	Jahn	Y	McKinley	N	Vigil	N
52	Cloer	N	Judd	Y	Merrifield	N	Weissmann	Y
53	Coleman	N	Kerr	Y	Paccione	N	Welker	Y
54	Crane	Y	King	Y	Penry	Y	White	Y
55	Curry	N	Knoedler	Y	Plant	N	Witwer	Y
56							Speaker	N

1 Representatives M. Carroll, Madden, and Butcher moved to amend the  
 2 Report of the Committee of the Whole to show that HB 06-1042 did not  
 3 pass. A substitute motion by Representative Stengel to amend the report  
 4 of the Committee of the Whole to show that **HB06-1042** was laid over  
 5 until February 1, 2006.

6  
 7 Representative Stengel's amendment was declared **passed** by the  
 8 following roll call vote:

	YES	63	NO	02	EXCUSED	00	ABSENT	00
11	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
12	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
13	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
14	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
15	Boyd	Y	Gardner	N	Madden	Y	Schultheis	Y
16	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
17	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
18	Cadman	Y	Harvey	N	May	Y	Stafford	Y
19	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
20	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
21	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
22	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
23	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
24	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
25	Crane	Y	King	Y	Penry	Y	White	Y
26	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
27							Speaker	Y

28  
 29  
 30  
 31  
 32 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

33  
 34 Passed Second Reading: **HB06-1038 amended, 1056, 1093 amended,**  
 35 **1098, 1063.**

36  
 37 Laid over until date indicated retaining place on Calendar:**HB06-1042,**  
 38 **1094, 1074 amended, 1112, 1136, 1137.**

39  
 40 The Chairman moved the adoption of the Committee of the Whole  
 41 Report. As shown by the following roll call vote, a majority of those  
 42 elected to the House voted in the affirmative, and the Report was  
 43 **adopted.**

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

1	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
2	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
3	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
4	Crane	Y	King	Y	Penry	Y	White	Y
5	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
6							Speaker	Y

## REPORTS OF COMMITTEES OF REFERENCE

### AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

**HB06-1124** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 2, line 11, strike "TO LEASE OR SELL WATER".

Page 3, line 14, strike "APPROVAL" and substitute "IMPLEMENTATION".

Page 4, line 13, strike "APPROVAL" and substitute "IMPLEMENTATION".

Page 5, strike lines 15 through 22 and substitute the following:

"(IV) IF THE APPLICATION IS FOR THE IMPLEMENTATION OF A ROTATIONAL CROP MANAGEMENT CONTRACT, SEPARATE ANNUAL HISTORICAL CONSUMPTIVE USE LIMITS FOR THE PARCELS TO BE ROTATED ACCORDING TO THE HISTORICAL CONSUMPTIVE USE OF SUCH LANDS. TO THE EXTENT THAT SOME OR ALL OF THE WATER THAT IS THE SUBJECT OF THE CONTRACT IS NOT UTILIZED AT A NEW PLACE OF USE IN A GIVEN YEAR, SUCH WATER MAY BE UTILIZED ON THE ORIGINALLY IRRIGATED LANDS IF SO PROVIDED IN THE DECREE AND CONTRACT AND IF THE ELECTION TO IRRIGATE IS MADE PRIOR TO THE BEGINNING OF THE IRRIGATION SEASON AND APPLIES TO THE ENTIRE IRRIGATION SEASON."

Page 6, line 17, after "(17)", insert "(a)";

strike lines 18 through 23 and substitute the following:

"MANAGEMENT CONTRACT SHALL PAY THE STATE ENGINEER THE FOLLOWING FEES:

(I) AN APPLICATION FEE OF ONE THOUSAND SEVEN HUNDRED THIRTY- FOUR DOLLARS;

(II) A FEE OF SIX HUNDRED SEVENTEEN DOLLARS THAT IS DUE ANNUALLY BEGINNING ONE YEAR AFTER SUBMITTAL OF THE APPLICATION UNTIL THE APPLICATION HAS BEEN DECREED BY THE WATER JUDGE PURSUANT TO SECTION 37-92-308 (4); AND

(III) AN ANNUAL FEE OF THREE HUNDRED DOLLARS PER YEAR AFTER THE APPLICATION HAS BEEN DECREED.

(b) THE FEES SHALL BE USED BY THE STATE ENGINEER FOR THE".



1 **SJR06-002** be referred out for final action.

2  
3  
4  
5

6 **BUSINESS AFFAIRS & LABOR**

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

9

10 **HB06-1140** be referred to the Committee of the Whole with favorable  
11 recommendation.

12  
13

14 **HB06-1156** 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 3, line 11, strike "REQUIRES" and substitute  
19 "REQUIRES, PERMITS, OR AUTHORIZES".

20

21 Page 4, line 18, strike "REQUIRED" and substitute "REQUIRED, PERMITTED,  
22 OR AUTHORIZED";

23

24 line 20, strike "PURPOSES." and substitute "PURPOSES, INCLUDING BY THE  
25 DEPARTMENT OF REVENUE.".

26

27 Page 5, line 9, strike "NUMBER," and substitute "NUMBER UNLESS  
28 DISCLOSURE OF THE NUMBER IS REQUIRED, PERMITTED, OR AUTHORIZED BY  
29 STATE OR FEDERAL LAW,";

30

31 strike lines 10 and 11 and substitute the following:

32

33 **"SECTION 3. Effective date - applicability.** This act shall take  
34 effect January 1, 2007, and shall apply to acts occurring on or after said  
35 date.".

36

37

38

39 **HB06-1188** be amended as follows, and as so amended, be referred to  
40 the Committee of the Whole with favorable  
41 recommendation:

42

43 Amend printed bill, page 6, line 20, strike "OR";

44

45 line 24, strike "AMENDED." and substitute "AMENDED; OR

46

47 (V) PASSENGER TRAMWAYS AS DEFINED IN SECTION 25-5-702 (4),  
48 C.R.S.".

49

50

51

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**PRINTING REPORT**

52

53 The Chief Clerk reports the following bills have been correctly printed:

54 **HB06-1209, 1210, 1211, 1212.**

55

56

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**MESSAGE FROM THE SENATE**1  
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The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB06-023

SB06-008, amended as printed in Senate Journal, January 27, 2006, pages 74-75.

SB06-042, amended as printed in Senate Journal, January 27, 2006, page 75.

SB06-003, amended as printed in Senate Journal, January 27, 2006, page-75.

SB06-078, amended as printed in Senate Journal, January 27, 2006, pages 76-77.

SB06-057, amended as printed in Senate Journal, January 27, 2006, page 77.

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House in recess. House reconvened.

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**MESSAGE FROM THE REVISOR**

We herewith transmit:

Without comment, SB06-023.

Without comment, as amended, SB06-008, 042, 003, 078, and 057.

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**INTRODUCTION OF BILLS**  
**First Reading**

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

**HB06-1213** by Representative(s) Plant, Buescher, Hall; also Senator(s) Tapia, Keller, Owen--Concerning a supplemental appropriation to the department of agriculture.  
Committee on Appropriations

**HB06-1214** by Representative(s) Plant, Buescher, Hall; also Senator(s) Tapia, Keller, Owen--Concerning a supplemental appropriation to the department of corrections.  
Committee on Appropriations

**HB06-1215** by Representative(s) Plant, Buescher, Hall; also Senator(s) Tapia, Keller, Owen--Concerning a supplemental appropriation to the department of education.  
Committee on Appropriations

- 1 **HB06-1216** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
2 Tapia, Keller, Owen--Concerning a supplemental  
3 appropriation to the offices of the governor, lieutenant  
4 governor, and state planning and budgeting.  
5 Committee on Appropriations  
6
- 7 **HB06-1217** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
8 Tapia, Keller, Owen--Concerning a supplemental  
9 appropriation to the department of health care policy and  
10 financing.  
11 Committee on Appropriations  
12
- 13 **HB06-1218** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
14 Tapia, Keller, Owen--Concerning a supplemental  
15 appropriation to the department of higher education.  
16 Committee on Appropriations  
17
- 18 **HB06-1219** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
19 Tapia, Keller, Owen--Concerning a supplemental  
20 appropriation to the department of human services.  
21 Committee on Appropriations  
22
- 23 **HB06-1220** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
24 Tapia, Keller, Owen--Concerning a supplemental  
25 appropriation to the judicial department.  
26 Committee on Appropriations  
27
- 28 **HB06-1221** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
29 Tapia, Keller, Owen--Concerning a supplemental  
30 appropriation to the department of labor and employment.  
31 Committee on Appropriations  
32
- 33 **HB06-1222** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
34 Tapia, Keller, Owen--Concerning a supplemental  
35 appropriation to the department of law.  
36 Committee on Appropriations  
37
- 38 **HB06-1223** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
39 Tapia, Keller, Owen--Concerning a supplemental  
40 appropriation to the department of legislature.  
41 Committee on Appropriations  
42
- 43 **HB06-1224** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
44 Tapia, Keller, Owen--Concerning a supplemental  
45 appropriation to the department of local affairs.  
46 Committee on Appropriations  
47
- 48 **HB06-1225** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
49 Tapia, Keller, Owen--Concerning a supplemental  
50 appropriation to the department of military and veterans  
51 affairs.  
52 Committee on Appropriations  
53  
54

- 1 **HB06-1226** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
2 Tapia, Keller, Owen--Concerning a supplemental  
3 appropriation to the department of natural resources.  
4 Committee on Appropriations  
5
- 6 **HB06-1227** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
7 Tapia, Keller, Owen--Concerning a supplemental  
8 appropriation to the department of personnel and  
9 administration.  
10 Committee on Appropriations  
11
- 12 **HB06-1228** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
13 Tapia, Keller, Owen--Concerning a supplemental  
14 appropriation to the department of public health and  
15 environment.  
16 Committee on Appropriations  
17
- 18 **HB06-1229** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
19 Tapia, Keller, Owen--Concerning a supplemental  
20 appropriation to the department of public safety.  
21 Committee on Appropriations  
22
- 23 **HB06-1230** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
24 Tapia, Keller, Owen--Concerning a supplemental  
25 appropriation to the department of regulatory agencies.  
26 Committee on Appropriations  
27
- 28 **HB06-1231** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
29 Tapia, Keller, Owen--Concerning a supplemental  
30 appropriation to the department of revenue.  
31 Committee on Appropriations  
32
- 33 **HB06-1232** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
34 Tapia, Keller, Owen--Concerning a supplemental  
35 appropriation to the department of state.  
36 Committee on Appropriations  
37
- 38 **HB06-1233** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
39 Tapia, Keller, Owen--Concerning a supplemental  
40 appropriation to the department of transportation.  
41 Committee on Appropriations  
42
- 43 **HB06-1234** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
44 Tapia, Keller, Owen--Concerning a supplemental  
45 appropriation to the department of the treasury.  
46 Committee on Appropriations  
47
- 48 **HB06-1235** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
49 Tapia, Keller, Owen--Concerning funding for capital  
50 construction, and making supplemental appropriations in  
51 connection therewith.  
52 Committee on Appropriations  
53  
54  
55

- 1 **HB06-1236** by Representative(s) Carroll T.; also Senator(s) Groff--  
2 Concerning providing funding for all students enrolled in  
3 a public on-line education program on the budget-year  
4 count date.  
5 Committee on Education  
6
- 7 **HB06-1237** by Representative(s) Carroll T.--Concerning defenses for  
8 landowners in premises liability actions.  
9 Committee on Judiciary  
10
- 11 **HB06-1238** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
12 Tapia, Keller, Owen--Concerning authority for the  
13 department of corrections to transfer an inmate from a  
14 residential community corrections program to a  
15 nonresidential community intensive supervision program.  
16 Committee on Judiciary  
17
- 18 **HB06-1239** by Representative(s) Hoppe; also Senator(s) Isgar--  
19 Concerning continuation of the "Pesticide Applicators'  
20 Act".  
21 Committee on Agriculture, Livestock, & Natural Resources  
22
- 23 **HB06-1240** by Representative(s) Marshall; also Senator(s) Groff--  
24 Concerning measures to improve the academic  
25 performance of unsatisfactory public schools.  
26 Committee on Education  
27
- 28 **HB06-1241** by Representative(s) Larson, Rose, Cloer, Curry, Madden,  
29 Stengel, Witwer; also Senator(s) Isgar--Concerning the  
30 addition of a line to Colorado state individual income tax  
31 return forms whereby individual taxpayers may make a  
32 voluntary contribution to the Mesa Verde national park  
33 visitor center and archive fund, and, in connection  
34 therewith, excepting the fund from the sunset clause  
35 requirement for voluntary contribution programs.  
36 Committee on Finance  
37
- 38 **HB06-1242** by Representative(s) Benefield, Crane, Hodge, Lindstrom,  
39 Massey, Merrifield, Soper, Todd; also Senator(s) Windels--  
40 Concerning the one dollar surcharge collected on  
41 documents received by a county clerk and recorder.  
42 Committee on Local Government  
43
- 44 **HB06-1243** by Representative(s) Sullivan; also Senator(s) Hanna--  
45 Concerning the practice of chiropractic, and, in connection  
46 therewith, requiring liability insurance to cover all acts  
47 within the scope of chiropractic practice and allowing the  
48 state board of chiropractic examiners to impose a fine on  
49 a licensee in lieu of suspending a license.  
50 Committee on Health and Human Services  
51  
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- 54 **HB06-1244** by Representative(s) Hall, Plant, Buescher; also Senator(s)  
55 Owen, Tapia, Keller--Concerning a grant of authority to  
56 the transportation commission to allocate moneys from the

- 1 aviation fund for the administrative costs of the  
2 aeronautics division in the department of transportation.  
3 Committee on Transportation & Energy  
4
- 5 **HB06-1245** by Representative(s) Borodkin--Concerning bonding  
6 requirements for contractors entering into state  
7 procurement contracts.  
8 Committee on Business Affairs and Labor  
9
- 10 **HB06-1246** by Representative(s) Gardner, Harvey, Schultheis, Cloer,  
11 Balmer, Berens, Cadman, Clapp, Curry, Hoppe, Kerr,  
12 Knoedler, Liston, Lundberg, McFadyen, McKinley, Penry,  
13 Rose, Stengel, Welker, White; also Senator(s) Lamborn--  
14 Concerning the use of physical force in self-defense  
15 against an intruder.  
16 Committee on Judiciary  
17
- 18 **HB06-1247** by Representative(s) Cerbo; also Senator(s) Grossman--  
19 Concerning the adoption of changes to the "Uniform  
20 Commercial Code" proposed by the national conference of  
21 commissioners on uniform state laws, and, in connection  
22 therewith, repealing and reenacting articles 1 and 7 of the  
23 "Uniform Commercial Code".  
24 Committee on Business Affairs and Labor  
25
- 26 **HB06-1248** by Representative(s) Frangas--Concerning prohibiting the  
27 sale of items that may be used to ingest chemicals to a  
28 person under the age of eighteen years.  
29 Committee on Judiciary  
30
- 31 **HB06-1249** by Representative(s) Judd, Larson, Massey, Sullivan; also  
32 Senator(s) Takis--Concerning granting authority to a  
33 pregnant minor to approve perinatal medical care for the  
34 minor's pregnancy intended to result in a live birth of a  
35 child, and, in connection therewith, limiting the authority  
36 to approving prenatal, delivery, and post-delivery medical  
37 care related to the intended live birth of a child.  
38 Committee on Health and Human Services  
39
- 40 **HB06-1250** by Representative(s) Lindstrom, Buescher, Curry, Garcia,  
41 Larson, Liston, Penry, Plant, White; also Senator(s) Entz,  
42 Evans, Fitz-Gerald, Groff, Grossman, Isgar, Taylor, Teck-  
43 -Concerning an increase in fines under the "Ski Safety Act  
44 of 1979" for skiers who violate existing skier duties.  
45 Committee on Local Government  
46
- 47 **HB06-1251** by Representative(s) Green--Concerning a prohibition on  
48 price gouging.  
49 Committee on Business Affairs and Labor  
50
- 51 **HB06-1252** by Representative(s) Frangas, Madden; also Senator(s)  
52 Hagedorn--Concerning the creation of programs to  
53 maximize prescription drug discounts for Colorado  
54 citizens.  
55 Committee on Health and Human Services  
56

- 1 **HB06-1253** by Representative(s) Sullivan; also Senator(s) Bacon--  
2 Concerning authority for a county to regulate water quality  
3 related issues in order to comply with rules established by  
4 the state water quality control commission.  
5 Committee on Local Government  
6
- 7 **SB06-003** by Senator(s) Kester, Entz, Fitz-Gerald, Isgar, Shaffer;  
8 also Representative(s) Rose, Gallegos, Gardner, Hodge--  
9 Concerning the use of biofuels in state buildings.  
10 Committee on Agriculture, Livestock, & Natural Resources  
11
- 12 **SB06-006** by Senator(s) Takis, Hanna, Taylor; also Representative(s)  
13 White, Coleman, Schultheis, Vigil--Concerning the  
14 authority of the public employees' retirement association  
15 to deny employment to individuals convicted of specified  
16 offenses.  
17 Committee on Business Affairs and Labor  
18
- 19 **SB06-008** by Senator(s) May R., Williams; also Representative(s)  
20 Pommer, Green, Hefley, Knoedler, Larson, Ragsdale--  
21 Concerning the regulation of commercial motor vehicles  
22 that transport hazardous materials over the public  
23 highways.  
24 Committee on Transportation & Energy  
25
- 26 **SB06-013** by Senator(s) Spence; also Representative(s) Benefield--  
27 Concerning extension of the surcharge associated with the  
28 security features found on drivers' licenses.  
29 Committee on Transportation & Energy  
30
- 31 **SB06-023** by Senator(s) Hanna, Takis, Taylor; also Representative(s)  
32 Vigil, Coleman, White--Concerning the placement of  
33 inmates classified higher than medium custody in private  
34 prisons.  
35 Committee on Judiciary  
36
- 37 **SB06-033** by Senator(s) Owen; also Representative(s) Coleman--  
38 Concerning the elimination of obsolete statutory language.  
39 Committee on State, Veterans, & Military Affairs  
40
- 41 **SB06-034** by Senator(s) Entz, Fitz-Gerald, Grossman, Isgar, Taylor;  
42 also Representative(s) Hodge, Butcher, Curry, Hoppe,  
43 White--Concerning the appointment to the Colorado water  
44 resources and power development authority board of  
45 directors of a director who is experienced in water quality  
46 matters.  
47 Committee on Agriculture, Livestock, & Natural Resources  
48
- 49 **SB06-042** by Senator(s) Windels, Bacon; also Representative(s)  
50 King, Benefield, Penry--Concerning technical revisions to  
51 provisions affecting funding for certain charter schools.  
52 Committee on Education  
53  
54  
55

- 1 **SB06-057** by Senator(s) Groff; also Representative(s) Riesberg--
- 2 Concerning creation of the missing senior citizen alert
- 3 program.
- 4 Committee on State, Veterans, & Military Affairs
- 5
- 6 **SB06-060** by Senator(s) Tochtrop; also Representative(s) Carroll T.--
- 7 Concerning the assertion by a garnishee of an exemption
- 8 on behalf of a judgment debtor.
- 9 Committee on Judiciary
- 10
- 11 **SB06-078** by Senator(s) Wiens, Isgar, May R.; also Representative(s)
- 12 McKinley, Green, Borodkin, Hefley, Larson, Stafford--
- 13 Concerning a prohibition against the exercise of the power
- 14 of eminent domain by a private corporation to condemn
- 15 the private property of another person or entity for the
- 16 purpose of acquiring rights-of-way for a private toll road
- 17 or private toll highway.
- 18 Committee on Transportation & Energy
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**LAY OVER OF CALENDAR ITEMS**

24 On motion of Representative Madden, the following items on the  
 25 Calendar were laid over until February 1, retaining place on Calendar:

26  
 27 Consideration of Resolutions--**HJR06-1009, SJR06-005, HJR06-1010.**

30  
 31 On motion of Representative Knoedler, the House adjourned until  
 32 9:00 a.m., February 1, 2006.

Approved:  
 ANDREW ROMANOFF,  
 Speaker

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 35  
 36  
 37 Attest:  
 38 MARILYN EDDINS,  
 39 Chief Clerk