

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

Seventy-first Legislative Day

Wednesday, March 22, 2006

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian  
2 Church, Denver.

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

5  
6 Pledge of Allegiance led by Cullen Green, Nativity of our Lord,  
7 Broomfield.

8  
9 The roll was called with the following result:

10  
11 Present--59.  
12 Vacancy--1.  
13 Excused--Representatives Carroll M., Coleman, Penry--3.  
14 Absent--Representatives Butcher, Pommer--2.  
15 Present after roll call--Representatives Butcher, Carroll M.,  
16 Coleman, Penry, Pommer.

17  
18 The Speaker declared a quorum present.

19 \_\_\_\_\_  
20  
21 On motion of Representative Massey, the reading of the journal of  
22 March 21, 2006, was declared dispensed with and approved as corrected  
23 by the Chief Clerk.

24 \_\_\_\_\_  
25  
26  
27 **THIRD READING OF BILLS--FINAL PASSAGE**

28  
29 The following bills were considered on Third Reading. The titles were  
30 publicly read. Reading of the bill at length was dispensed with by  
31 unanimous consent.

32  
33 **HB06-1019** by Representative(s) Soper; also Senator(s) Tochtrop--  
34 Concerning the addition of a line to Colorado state  
35 individual income tax return forms whereby individual  
36 taxpayers may make a voluntary contribution to the  
37 Colorado Easter Seals fund, and making an appropriation  
38 therefor.

39  
40 The question being "Shall the bill pass?".  
41 A roll call vote was taken. As shown by the following recorded vote, a  
42 majority of those elected to the House voted in the affirmative and the bill  
43 was declared **passed**.

	YES 50	NO 13	EXCUSED 01	ABSENT 00	VACANCY 01		
1							
2	Balmer	Y Decker	Y Larson	Y Pommer	Y		Y
3	Benefield	Y Frangas	Y Lindstrom	Y Ragsdale	Y		Y
4	Berens	Y Gallegos	Y Liston	N Riesberg	Y		Y
5	Borodkin	Y Garcia	N Lundberg	N Rose	N		N
6		V Gardner	Y Madden	Y Schultheis	N		N
7	Buescher	Y Green	Y Marshall	Y Solano	Y		Y
8	Butcher	Y Hall	Y Massey	Y Soper	Y		Y
9	Cadman	N Harvey	N May	N Stafford	Y		Y
10	Carroll M	Y Hefley	N McCluskey	Y Stengel	N		N
11	Carroll T	Y Hodge	Y McFadyen	Y Sullivan	Y		Y
12	Cerbo	Y Hoppe	Y McGihon	Y Todd	Y		Y
13	Clapp	N Jahn	Y McKinley	Y Vigil	Y		Y
14	Cloer	Y Judd	Y Merrifield	Y Weissmann	N		N
15	Coleman	Y Kerr	Y Paccione	Y Welker	N		N
16	Crane	Y King	Y Penry	E White	Y		Y
17	Curry	Y Knoedler	Y Plant	Y Witwer	Y		Y
18					Speaker		Y

19 Co-sponsors added: Representatives Berens, Cloer, Hefley, McGihon,  
20 Ragsdale, Stafford, Todd, Vigil.

21  
22 **HB06-1065** by Representative(s) King; also Senator(s) Grossman--  
23 Concerning creation of the statewide data-sharing system,  
24 and making an appropriation therefor.

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**.

	YES 57	NO 06	EXCUSED 01	ABSENT 00	VACANCY 01		
31							
32	Balmer	Y Decker	Y Larson	Y Pommer	Y		Y
33	Benefield	Y Frangas	Y Lindstrom	Y Ragsdale	Y		Y
34	Berens	Y Gallegos	Y Liston	Y Riesberg	Y		Y
35	Borodkin	Y Garcia	Y Lundberg	N Rose	Y		Y
36		V Gardner	Y Madden	Y Schultheis	N		N
37	Buescher	Y Green	Y Marshall	Y Solano	Y		Y
38	Butcher	Y Hall	Y Massey	Y Soper	Y		Y
39	Cadman	N Harvey	Y May	Y Stafford	Y		Y
40	Carroll M	Y Hefley	Y McCluskey	Y Stengel	Y		Y
41	Carroll T	Y Hodge	Y McFadyen	Y Sullivan	Y		Y
42	Cerbo	Y Hoppe	Y McGihon	Y Todd	Y		Y
43	Clapp	Y Jahn	Y McKinley	N Vigil	Y		Y
44	Cloer	N Judd	Y Merrifield	Y Weissmann	N		N
45	Coleman	Y Kerr	Y Paccione	Y Welker	Y		Y
46	Crane	Y King	Y Penry	E White	Y		Y
47	Curry	Y Knoedler	Y Plant	Y Witwer	Y		Y
48					Speaker		Y

49 Co-sponsor added: Representative Paccione.

50  
51 **HB06-1176** by Representative(s) Ragsdale--Concerning the  
52 authorization of kit motor vehicles, and making an  
53 appropriation therefor.

54  
55 Laid over until March 23, retaining place on Calendar.

56

1 **HB06-1294** by Representative(s) Decker; also Senator(s) Isgar--  
 2 Concerning the issuance of a rebuilder's certificate of title  
 3 for motor vehicles for the purposes of restoring such  
 4 vehicles.

5  
 6 The question being "Shall the bill pass?".  
 7 A roll call vote was taken. As shown by the following recorded vote, a  
 8 majority of those elected to the House voted in the affirmative and the bill  
 9 was declared **passed**.

10

	YES 60	NO 03	EXCUSED 01	ABSENT 00	VACANCY 01			
12	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
13	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
14	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
15	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
16		V	Gardner	Y	Madden	Y	Schultheis	N
17	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
18	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
19	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
20	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
21	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
22	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
23	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
24	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
25	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
26	Crane	Y	King	Y	Penry	E	White	Y
27	Curry	Y	Knoedler	Y	Plant	Y	Witwer	N
28							Speaker	Y

29 Co-sponsor added: Representative Sullivan.

30

31 **HB06-1297** by Representative(s) Decker, Buescher, Carroll T.,  
 32 Lindstrom, Todd; also Senator(s) Shaffer--Concerning the  
 33 addition of a line to Colorado state individual income tax  
 34 return forms whereby individual taxpayers may make a  
 35 voluntary contribution to the multiple sclerosis fund.

36

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

41

	YES 52	NO 11	EXCUSED 01	ABSENT 00	VACANCY 01			
43	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
44	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
45	Berens	Y	Gallegos	Y	Liston	N	Riesberg	Y
46	Borodkin	Y	Garcia	N	Lundberg	N	Rose	Y
47		V	Gardner	Y	Madden	Y	Schultheis	N
48	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
49	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
50	Cadman	N	Harvey	N	May	N	Stafford	Y
51	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	N
52	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
53	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
54	Clapp	N	Jahn	Y	McKinley	Y	Vigil	Y
55	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	N
56	Coleman	Y	Kerr	Y	Paccione	Y	Welker	N

1	Crane	Y	King	Y	Penry	E	White	Y
2	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
3							Speaker	Y

4 Co-sponsors added: Representatives Berens, Frangas, Gallegos, Kerr, Madden,  
5 McGihon, Paccione, Soper, Stafford, Vigil.

6  
7 **HB06-1317** by Representative(s) Madden; also Senator(s) Fitz-Gerald-  
8 -Concerning the development of state energy planning  
9 information, and, in connection therewith, making an  
10 appropriation.

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

17	YES 47	NO 16	EXCUSED 01	ABSENT 00	VACANCY 01			
18	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
19	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
20	Berens	Y	Gallegos	Y	Liston	N	Riesberg	Y
21	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
22		V	Gardner	N	Madden	Y	Schultheis	N
23	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
24	Butcher	Y	Hall	N	Massey	Y	Soper	Y
25	Cadman	N	Harvey	N	May	N	Stafford	Y
26	Carroll M	Y	Hefley	Y	McCluskey	N	Stengel	Y
27	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
28	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
29	Clapp	N	Jahn	Y	McKinley	Y	Vigil	Y
30	Cloer	N	Judd	Y	Merrifield	Y	Weissmann	Y
31	Coleman	Y	Kerr	N	Paccione	Y	Welker	N
32	Crane	N	King	N	Penry	E	White	Y
33	Curry	Y	Knoedler	N	Plant	Y	Witwer	Y
34							Speaker	Y

35 Co-sponsors added: Representatives Borodkin, Frangas, Gallegos, Green,  
36 Hodge, Marshall, McFadyen, Merrifield, Paccione, Riesberg, Solano, Todd.

37  
38 **HB06-1325** by Representative(s) McFadyen; also Senator(s) Takis--  
39 Concerning electric transmission for the state of Colorado,  
40 and, in connection therewith, creating an interim task force  
41 to study Colorado's need to ensure a reliable electricity  
42 infrastructure, and making an appropriation.

43  
44 The question being "Shall the bill pass?".  
45 A roll call vote was taken. As shown by the following recorded vote, a  
46 majority of those elected to the House voted in the affirmative and the bill  
47 was declared **passed**.

49	YES 52	NO 11	EXCUSED 01	ABSENT 00	VACANCY 01			
50	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
51	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
52	Berens	Y	Gallegos	Y	Liston	N	Riesberg	Y
53	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	N
54		V	Gardner	Y	Madden	Y	Schultheis	N
55	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
56	Butcher	Y	Hall	Y	Massey	Y	Soper	Y

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

11 Co-sponsors added: Representatives Borodkin, Carroll T, Coleman, Curry,  
12 Frangas, Gallegos, Hodge, Knoedler, Madden, Marshall, Merrifield, Paccione,  
13 Solano, Todd.

14  
15 **HB06-1337** by Representative(s) Butcher, Gallegos, McKinley; also  
16 Senator(s) Entz, Taylor--Concerning penalties levied  
17 against a person who violates water quality control  
18 provisions, and making an appropriation therewith.

19  
20 The question being "Shall the bill 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 bill  
23 was declared **passed**.

24	YES 56	NO 07	EXCUSED 01	ABSENT 00	VACANCY 01			
25								
26	Balmer	Y	Decker	N	Larson	Y	Pommer	Y
27	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
28	Berens	Y	Gallegos	Y	Liston	N	Riesberg	Y
29	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
30		V	Gardner	Y	Madden	Y	Schultheis	N
31	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
32	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
33	Cadman	N	Harvey	Y	May	Y	Stafford	Y
34	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
35	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
36	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
37	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
38	Cloer	N	Judd	Y	Merrifield	Y	Weissmann	Y
39	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
40	Crane	Y	King	N	Penry	E	White	Y
41	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
42							Speaker	Y

43 Co-sponsor added: Representative McFadyen.

44  
45  
46 **HB06-1377** by Representative(s) Madden, May M., Romanoff; also  
47 Senator(s) Gordon, Fitz-Gerald, McElhany--Concerning  
48 payment of expenses of the legislative department, and  
49 making an appropriation in connection therewith.

50  
51 The question being "Shall the bill pass?".

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

55

	YES 63	NO 00	EXCUSED 01	ABSENT 00	VACANCY 01
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		V 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	E White	Y
17	Curry	Y Knoedler	Y Plant	Y Witwer	Y
18				Speaker	Y
19					

21 On motion of Representative Madden, **SB06-187**, **HB06-1375** were  
 22 added to the Special Orders Calendar on Wednesday, March 22, 2006.

25 On motion of Representative Paccione, the House resolved itself into  
 26 Committee of the Whole for consideration of Special Orders and she was  
 27 called to the Chair to act as Chairman.

### 31 SPECIAL ORDERS--SECOND READING OF BILLS

33 The Committee of the Whole having risen, the Chairman reported the  
 34 titles of the following bills had been read (reading at length had been  
 35 dispensed with by unanimous consent), the bills considered and action  
 36 taken thereon as follows:

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

41 **SB06-187** by Senator(s) Shaffer; also Representative(s) Witwer--  
 42 Concerning title 7 of the Colorado Revised Statutes.

44 (Previously amended as printed in House Journal, March 20, page 823.)

46 As amended, ordered revised and placed on the Calendar for Third  
 47 Reading and Final Passage.

49 **HB06-1375** by Representative(s) Pommer; also Senator(s) Windels--  
 50 Concerning the financing of public schools, and making an  
 51 appropriation therefor.

53 Amendment No. 1, Education Report, dated March 14, 2006, and placed  
 54 in member's bill file; Report also printed in House Journal, March 15,  
 55 pages 759-768.

1 Amendment No. 2, Appropriations Report, dated March 17, 2006, and  
2 placed in member's bill file; Report also printed in House Journal, March  
3 20, pages 831-835.

4  
5 Amendment No. 3, by Representative Pommer.

6  
7 Amend the Appropriations Committee Report, dated March 17, 2006,  
8 page 3, after line 9, insert the following:

9  
10 **"SECTION 14.** 22-54-103 (1.5) (b) (II), Colorado Revised  
11 Statutes, is amended to read:

12  
13 **22-54-103. Definitions - repeal.** As used in this article, unless  
14 the context otherwise requires:

15  
16 (1.5) (b) For purposes of this subsection (1.5):

17  
18 (II) "District pupil enrollment" means the pupil enrollment of the  
19 district, as determined in accordance with subsection (10) of this section,  
20 minus the ~~number of pupils enrolled in district preschool programs~~  
21 ~~pursuant to article 28 of this title~~ DISTRICT'S PRESCHOOL AND  
22 KINDERGARTEN PROGRAM ENROLLMENT, AS DETERMINED IN ACCORDANCE  
23 WITH SUBSECTION (9.5) OF THIS SECTION, THE DISTRICT'S ON-LINE PUPIL  
24 ENROLLMENT, AS DETERMINED IN ACCORDANCE WITH SUBSECTION (8.5)  
25 OF THIS SECTION, and the number of three- or four-year-old pupils with  
26 disabilities receiving educational programs pursuant to article 20 of this  
27 title."

28  
29 Renumber succeeding sections accordingly.

30  
31 Page 7 of the appropriations committee report, after line 15, insert the  
32 following:

33  
34 "(d) The general fund appropriation for assistance to public  
35 schools, public school finance, for the state share of districts' total  
36 program funding, is decreased by four hundred five thousand seven  
37 hundred forty-four dollars (\$405,744)."

38  
39 Reletter succeeding paragraphs accordingly.

40  
41 Amendment No. 4, by Representative Pommer.

42  
43 Amend the Appropriations Committee Report, dated March 17, 2006,  
44 page 3, after line 9, insert the following:

45 **"SECTION 14.** 22-54-103 (10) (a), Colorado Revised Statutes,  
46 is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to  
47 read:

48  
49 **22-54-103. Definitions - repeal.** As used in this article, unless  
50 the context otherwise requires:

51  
52 (10) (a) (V) FOR THE 2006-07 BUDGET YEAR AND EACH BUDGET  
53 YEAR THEREAFTER, "PUPIL ENROLLMENT" SHALL NOT INCLUDE A  
54 NONRESIDENT PUPIL WHO IS ENROLLED IN THE SCHOOL DISTRICT WHOSE  
55 PARENT OR GUARDIAN PAYS TUITION PURSUANT TO SECTION 22-32-115  
56 (3) (b).

1           **SECTION 15.** 22-32-115 (2) (b) (I) and (3), Colorado Revised  
2 Statutes, are amended to read:

3  
4           **22-32-115. Tuition for resident school-age children.**  
5 (2) (b) (I) A board of education of a district shall permit any child, the  
6 parents or guardian of whom are residents of the state but are not  
7 residents of the district, to attend school in the district pursuant to the  
8 provisions of section 22-36-101, and the parents or guardian of such  
9 child shall not be required to pay tuition. If the child permitted to attend  
10 school in the district pursuant to the provisions of section 22-36-101 is  
11 a child with a disability, the school district of residence shall be  
12 responsible for paying any tuition for educating the child in accordance  
13 with the provisions of section 22-20-109 (4). Nothing in this paragraph  
14 (b) shall be construed as creating an obligation on the part of the school  
15 district of residence or the school district of attendance to provide  
16 transportation at public expense for any such child to and from the school  
17 of attendance. The board of education of any school district may permit  
18 any child, the parents or guardian of whom are not residents of the state,  
19 to attend school in the school district and may, EXCEPT AS OTHERWISE  
20 PROVIDED IN PARAGRAPH (b) OF SUBSECTION (3) OF THIS SECTION, require  
21 the parents or guardian of the child to pay tuition on behalf of the child.  
22

23           (3) (a) The authority of a board of education to pay tuition for a  
24 child pursuant to subsection (1) of this section shall include authority to  
25 pay tuition for a child to attend a public school of a school district ~~situate~~  
26 SITUATED in an adjacent state when the district of residence of the child  
27 is ~~situate~~ SITUATED adjacent to the other state and the geographic  
28 conditions or distances are such that it would be impracticable for the  
29 child to attend the schools of his OR HER district. In the case of tuition  
30 paid to a school district of an adjacent state, the limitations of  
31 PARAGRAPH (a) OF subsection (2) (~~a~~) of this section shall not be  
32 applicable.  
33

34           (b) THE BOARD OF EDUCATION OF ANY SCHOOL DISTRICT MAY  
35 PERMIT ANY CHILD TO ATTEND A PUBLIC SCHOOL IN THE DISTRICT WHEN  
36 THE PARENTS OR GUARDIAN OF THE CHILD ARE RESIDENTS OF AN  
37 ADJACENT STATE AND THE STATE OF RESIDENCE OF THE CHILD IS  
38 SITUATED ADJACENT TO THE SCHOOL DISTRICT IN COLORADO AND THE  
39 GEOGRAPHIC CONDITIONS OR DISTANCES ARE SUCH THAT IT WOULD BE  
40 IMPRACTICABLE FOR THE CHILD TO ATTEND THE SCHOOLS OF HIS OR HER  
41 STATE. IN THE CASE OF A CHILD ATTENDING A PUBLIC SCHOOL IN A  
42 SCHOOL DISTRICT PURSUANT TO THIS PARAGRAPH (b), THE BOARD OF  
43 EDUCATION OF THE DISTRICT SHALL REQUIRE THE PARENTS OR GUARDIAN  
44 OF THE CHILD TO PAY TUITION ON BEHALF OF THE CHILD."  
45

46 Renumber succeeding sections accordingly.  
47

48 Page 7, after line 15, insert the following:  
49

50           "(d) The general fund appropriation for assistance to public  
51 schools, public school finance, for the state share of districts' total  
52 program funding, is decreased by two hundred twelve thousand eight  
53 hundred seven dollars (\$212,807)."  
54

55 Reletter succeeding paragraphs accordingly.  
56

1 Amendment No. 5, by Representative Pommer.

2

3 Amend the Appropriations Committee Report, dated March 17, 2006,  
4 page 3, line 10, strike "22-60.5-112.5 (1) (a)," and substitute "The  
5 introductory portion to 22-60.5-112.5 (1) (a) and 22-60.5-112.5".

6

7 Amendment No. 6, by Representative Carroll T.

8

9 Amend the Education Committee Report, dated March 14, 2006, page  
10 12, line 24, strike "~~constitution.~~" and substitute "~~constitution.~~";

11

12 strike lines 25 through 37.

13

14 Page 13, strike line 1.

15

16 Amendment No. 7, by Representative Pommer.

17

18 Amend printed bill, page 21, line 16, strike "THE" and substitute  
19 "(a) SUBJECT TO THE LIMITATIONS IN PARAGRAPH (b) OF THIS SUBSECTION  
20 (4), THE";

21

22 strike lines 17 and 18 and substitute the following:

23

24 "SCHOOL DISTRICT THAT PARTICIPATES IN THE";

25

26 after line 22, insert the following:

27

28 "(b) FOR THE 2006-07 BUDGET YEAR AND BUDGET YEARS  
29 THEREAFTER, THE DEPARTMENT SHALL ALLOW SCHOOL DISTRICTS TO  
30 APPLY FOR AUTHORIZATION TO SERVE NO MORE THAN FIVE PERCENT OF  
31 THE TOTAL NUMBER OF CHILDREN AUTHORIZED TO PARTICIPATE IN THE  
32 STATE PRESCHOOL AND KINDERGARTEN PROGRAM PURSUANT TO  
33 PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION THROUGH A  
34 FULL-DAY PRESCHOOL PORTION OF THE DISTRICT'S PRESCHOOL AND  
35 KINDERGARTEN PROGRAM. THE DEPARTMENT, USING ESTABLISHED  
36 CRITERIA, MAY SELECT QUALIFIED SCHOOL DISTRICTS TO PARTICIPATE IN  
37 AND SERVE CHILDREN THROUGH A FULL-DAY PRESCHOOL PORTION OF THE  
38 DISTRICT'S PRESCHOOL AND KINDERGARTEN PROGRAM.  
39 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE DEPARTMENT  
40 SHALL NOT GRANT WAIVERS THAT WOULD ALLOW MORE THAN A TOTAL OF  
41 FIVE PERCENT OF THE TOTAL NUMBER OF CHILDREN AUTHORIZED TO  
42 PARTICIPATE IN THE STATE PRESCHOOL AND KINDERGARTEN PROGRAM  
43 PURSUANT TO PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION TO BE  
44 SERVED THROUGH THE FULL-DAY PRESCHOOL PORTION OF ALL DISTRICT  
45 PRESCHOOL AND KINDERGARTEN PROGRAMS STATEWIDE."

46

47 Amendment No. 8, by Representative Plant.

48

49 Amend printed bill, page 17, line 27, after "**declaration.**", insert "(1)".

50

51 Page 18, after line 13, insert the following:

52

53 "(2) THE GENERAL ASSEMBLY INTENDS TO FULLY FUND THE STATE  
54 PRESCHOOL AND KINDERGARTEN PROGRAM BY INCREASING THE NUMBER  
55 OF CHILDREN WHO MAY BE SERVED THROUGH THE PROGRAM OVER THE  
56 2007-08, 2008-09, AND 2009-10 BUDGET YEARS."

1 Page 20, line 1, strike "EIGHTEEN" and substitute "FOURTEEN".  
 2  
 3 Amendment No. 9, by Representative Pommer.  
 4  
 5 Amend printed bill, page 47, line 13, after "EDUCATION", insert "FISCAL".  
 6  
 7 Amendment No. 10, by Representative Pommer.  
 8  
 9 Amend printed bill, page 20, line 6, strike "ELEVEN" and substitute  
 10 "FIFTEEN";  
 11  
 12 line 14, strike "ELEVEN-PERCENT" and substitute "FIFTEEN-PERCENT";  
 13  
 14 line 17, strike "ELEVEN" and substitute "FIFTEEN".  
 15  
 16 As amended, ordered engrossed and placed on the Calendar for Third  
 17 Reading and Final Passage.  
 18 (For change in action, see Amendments to Report, pages 860-861.)  
 19  
 20 On motion of Representative Madden, the remainder of the Special  
 21 Orders Calendar (**HB06-1280**) was laid over until March 23, retaining  
 22 place on Calendar.  
 23

---

24  
 25  
 26 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**  
 27

28 Representatives King and Butcher moved to amend the Report of the  
 29 Committee of the Whole to show that the following King amendment (1),  
 30 to HB06-1375, as amended by the following King amendment (2), did  
 31 pass, and that **HB06-1375**, as amended, did pass.  
 32

33 **Amendment (1):**

34 Amend printed bill, page 20, line 2, after "SIXTY.", add "IN ALLOCATING  
 35 SIX THOUSAND OF THE TOTAL NUMBER OF STATE PRESCHOOL AND  
 36 KINDERGARTEN PROGRAM POSITIONS ALLOWED PURSUANT TO THIS  
 37 PARAGRAPH (a), THE DEPARTMENT SHALL PRIORITIZE AND ALLOCATE  
 38 POSITIONS FOR USE IN SCHOOL DISTRICTS THAT HAVE SCHOOLS, INCLUDING  
 39 CHARTER SCHOOLS, THAT ARE OPERATING PRESCHOOL PROGRAMS AS OF  
 40 THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED, AND ARE NOT  
 41 RECEIVING ANY STATE FUNDING FOR SUCH PROGRAMS."  
 42

43 **Amendment (2):**

44 Amend Representative King's Amendment (1), page 860, line 35, strike  
 45 "SIX" and substitute "TWO".  
 46

47 The amendment was declared **passed** by the following roll call vote:  
 48

	YES 36	NO 27	EXCUSED 00	ABSENT 01	VACANCY 01		
50	Balmer	Y	Decker	Y	Larson	Y	Pommer
51	Benefield	N	Frangas	N	Lindstrom	N	Ragsdale
52	Berens	Y	Gallegos	Y	Liston	Y	Riesberg
53	Borodkin	N	Garcia	N	Lundberg	Y	Rose
54		V	Gardner	Y	Madden	N	Schultheis
55	Buescher	N	Green	N	Marshall	N	Solano
56	Butcher	Y	Hall	Y	Massey	Y	Soper

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

11  
12 Representatives Penry and Balmer moved to amend the Report of the  
13 Committee of the Whole to show that Amendment No. 3, by  
14 Representative Pommer (printed in House Journal page 857 lines 5-39)  
15 to HB06-1375, did not pass, and that **HB06-1375**, as amended, did pass.

16  
17 The amendment was declared **passed** by the following roll call vote:

18	YES 40	NO 24	EXCUSED 00	ABSENT 00	VACANCY 01			
19								
20	Balmer	Y	Decker	Y	Larson	Y	Pommer	N
21	Benefield	N	Frangas	Y	Lindstrom	N	Ragsdale	N
22	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	N
23	Borodkin	N	Garcia	N	Lundberg	Y	Rose	Y
24		V	Gardner	Y	Madden	N	Schultheis	Y
25	Buescher	Y	Green	N	Marshall	N	Solano	N
26	Butcher	Y	Hall	Y	Massey	Y	Soper	N
27	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
28	Carroll M	N	Hefley	Y	McCluskey	Y	Stengel	Y
29	Carroll T	Y	Hodge	N	McFadyen	N	Sullivan	Y
30	Cerbo	Y	Hoppe	Y	McGihon	N	Todd	N
31	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
32	Cloer	Y	Judd	N	Merrifield	N	Weissmann	N
33	Coleman	Y	Kerr	Y	Paccione	N	Welker	Y
34	Crane	Y	King	Y	Penry	Y	White	Y
35	Curry	N	Knoedler	Y	Plant	N	Witwer	Y
36							Speaker	N

37  
38 Representatives Knoedler and Gardner moved to amend the Report of the  
39 Committee of the Whole to show that the following Gardner amendment,  
40 to HB06-1375, did pass, and that **HB06-1375**, as amended, did pass.

41  
42 Amend printed bill, page 33, line 24, after "(1)", insert "THE STATE  
43 RECOGNIZES THAT THERE IS SIGNIFICANT VALUE IN USING EXISTING AND  
44 ESTABLISHED INFRASTRUCTURE THROUGH A HEAD START AGENCY OR  
45 CHILD CARE AGENCIES, WHERE AVAILABLE, FOR THE PROVISION OF A  
46 DISTRICT PRESCHOOL AND KINDERGARTEN PROGRAM.";

47  
48 line 25, after "may", insert "AND IS ENCOURAGED TO".

49  
50 The amendment was declared **lost** by the following roll call vote:

51	YES 30	NO 34	EXCUSED 00	ABSENT 00	VACANCY 01			
52								
53	Balmer	Y	Decker	Y	Larson	N	Pommer	N
54	Benefield	N	Frangas	N	Lindstrom	N	Ragsdale	N
55	Berens	Y	Gallegos	N	Liston	Y	Riesberg	N
56	Borodkin	N	Garcia	N	Lundberg	Y	Rose	Y

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

### ADOPTION OF COMMITTEE OF THE WHOLE REPORT

18 Passed Second Reading: **SB06-187 amended, HB06-1375 amended.**

20 Laid over until date indicated retaining place on Calendar: **HB06-1280--**  
21 **March 23, 2006.**

23 The Chairman moved the adoption of the Committee of the Whole  
24 Report. As shown by the following roll call vote, a majority of those  
25 elected to the House voted in the affirmative, and the Report was  
26 **adopted.**

YES 64	NO 00	EXCUSED 00	ABSENT 00	VACANCY 01				
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	Y	Lundberg	Y	Rose	Y
33		V	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	Y
42	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
43	Crane	Y	King	Y	Penry	Y	White	Y
44	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
45							Speaker	Y

### CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

51 **HB06-1369** by Representative(s) Plant, Buescher, Hall; also Senator(s)  
52 Tapia, Keller, Owen--Concerning a supplemental  
53 appropriation to the department of health care policy and  
54 financing.

56 (Amended as printed in Senate Journal, March 20, pages 542-543.)

1 Representative Plant moved that the House **concur** in Senate  
2 amendments. The motion was declared **passed** by the following roll call  
3 vote:

	YES 63	NO 00	EXCUSED 01	ABSENT 00	VACANCY 01			
6	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
7	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
8	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
9	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
10		V	Gardner	Y	Madden	Y	Schultheis	Y
11	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
12	Butcher	Y	Hall	E	Massey	Y	Soper	Y
13	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
14	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
15	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
16	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
17	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
18	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
19	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
20	Crane	Y	King	Y	Penry	Y	White	Y
21	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
22							Speaker	Y

23  
24 The question being, "Shall the bill, as amended, 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  
27 bill, as amended, was declared **repassed**.

	YES 59	NO 04	EXCUSED 01	ABSENT 00	VACANCY 01			
30	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
31	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
32	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
33	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
34		V	Gardner	Y	Madden	Y	Schultheis	N
35	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
36	Butcher	Y	Hall	E	Massey	Y	Soper	Y
37	Cadman	N	Harvey	Y	May	Y	Stafford	Y
38	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
39	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
40	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
41	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
42	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
43	Coleman	Y	Kerr	Y	Paccione	Y	Welker	N
44	Crane	Y	King	Y	Penry	Y	White	Y
45	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
46							Speaker	Y

47  
48 **HB06-1373** by Representative(s) Buescher, Hall, Plant; also Senator(s)  
49 Tapia, Keller, Owen--Concerning construction of  
50 improvements at the Colorado mental health institute in  
51 Pueblo, and making an appropriation therefor.

52  
53 (Amended as printed in Senate Journal, March 20, pages 543 and  
54 543-544.)

55

1 Representative Buescher moved that the House **concur** in Senate  
 2 amendments. The motion was declared **passed** by the following roll call  
 3 vote:

	YES 62	NO 01	EXCUSED 01	ABSENT 00	VACANCY 01			
6	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
7	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
8	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
9	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
10		V	Gardner	Y	Madden	Y	Schultheis	Y
11	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
12	Butcher	Y	Hall	E	Massey	Y	Soper	Y
13	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
14	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
15	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
16	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
17	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
18	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
19	Coleman	N	Kerr	Y	Paccione	Y	Welker	Y
20	Crane	Y	King	Y	Penry	Y	White	Y
21	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
22							Speaker	Y

23  
 24 The question being, "Shall the bill, as amended, 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  
 27 bill, as amended, was declared **repassed**.

	YES 59	NO 04	EXCUSED 01	ABSENT 00	VACANCY 01			
30	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
31	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
32	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
33	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
34		V	Gardner	Y	Madden	Y	Schultheis	N
35	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
36	Butcher	Y	Hall	E	Massey	Y	Soper	Y
37	Cadman	N	Harvey	Y	May	Y	Stafford	Y
38	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
39	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
40	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
41	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
42	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
43	Coleman	N	Kerr	Y	Paccione	Y	Welker	Y
44	Crane	Y	King	Y	Penry	Y	White	Y
45	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
46							Speaker	Y

47  
 48  
 49  
 50 House in recess. House reconvened.  
 51  
 52  
 53  
 54

**APPOINTMENTS**

The Speaker announced the following temporary appointments to Committees of reference:

Committee on Judiciary--

Representative Buescher to replace Representative Boyd

Committee on Health & Human Services--

Representative Lindstrom to replace Representative Boyd

---

**REPORTS OF COMMITTEES OF REFERENCE****BUSINESS AFFAIRS & LABOR**

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

**HB06-1330** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, strike everything below the enacting clause and substitute the following:

**"SECTION 1. Legislative declaration.** The general assembly hereby determines that it is in the public interest for the citizens of Colorado to have the information upon which insurance rate increases and decreases are based publicly available for the purpose of aiding in the determination of whether each rate increase or decrease is excessive, inadequate, or unfairly discriminatory and to bring openness and fairness to the insurance rate setting procedures utilized by Colorado insurers, while recognizing and not violating the confidentiality and trade secret protections applicable in Colorado's competitive insurance market.

**SECTION 2.** 10-3-208, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**10-3-208. Financial statements.** (8) AS PART OF THE FINANCIAL STATEMENT REQUIRED IN SUBSECTION (1) OF THIS SECTION, EACH PROPERTY AND CASUALTY INSURER REGULATED UNDER ARTICLE 4 OF THIS TITLE SHALL SUBMIT TO THE COMMISSIONER THE INFORMATION REQUIRED IN SCHEDULE P OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS (NAIC) ANNUAL STATEMENT FILED WITH THE COMMISSIONER. THE INFORMATION SHALL BE PROVIDED FOR COLORADO BUSINESS ONLY FOR THE FOLLOWING LINES OF INSURANCE AND SHALL INCLUDE ALL INFORMATION REQUIRED TO FULLY COMPLETE EACH COLUMN OF EACH APPLICABLE PART OF SCHEDULE P OF THE CONVENTION BLANK FOR THE ANNUAL STATEMENT ADOPTED BY THE NAIC:

(a) PRIVATE PASSENGER AUTOMOBILE TOTAL;

(b) COMMERCIAL AUTOMOBILE TOTAL;

(c) HOMEOWNERS MULTIPLE PERIL;

(d) FARMOWNERS MULTIPLE PERIL;

1 (e) COMMERCIAL MULTIPLE PERIL;

2  
3 (f) MEDICAL MALPRACTICE; AND

4  
5 (g) OTHER LIABILITY.

6  
7 **SECTION 3.** 10-4-403 (2) (b) and (2.1) (b), Colorado Revised  
8 Statutes, are amended to read:

9  
10 **10-4-403. Standards for rates - competition - procedure -**  
11 **requirement for independent actuarial opinions regarding 1991**  
12 **legislation.** (2) (b) (I) In setting rates, insurers shall consider past and  
13 prospective loss experience and catastrophic hazards, if any, solely within  
14 the state of Colorado. However, if there is insufficient experience within  
15 Colorado upon which a rate can be based, the insurer may consider  
16 experiences within any other state or states which have a similar cost of  
17 claim and frequency of claim experience as the state of Colorado; and, if  
18 insufficient experience is available, the insurer may use a countrywide  
19 experience. The insurer, in its rate filing or in its records, shall expressly  
20 ~~show~~ STATE AND DESCRIBE what rate experience it is using, AND FOR  
21 COLORADO BUSINESS OTHER THAN WORKERS' COMPENSATION INSURANCE,  
22 THE INSURER SHALL SPECIFY THE STATE OR STATES FROM WHICH  
23 EXPERIENCES WERE DRAWN AND THE CONSIDERATIONS USED IN SETTING  
24 THE RATES. In considering experience outside the state of Colorado, as  
25 much weight as possible shall be given to the Colorado experience. The  
26 rates shall allow a reasonable margin for profit, ~~and contingencies, profit~~  
27 ~~being~~ as allowed in subparagraph (III) of paragraph (a) of this subsection  
28 (2), AND CONTINGENCIES.

29  
30 (2.1) (b) (I) In setting rates, medical malpractice insurers shall  
31 consider past and prospective loss experience and catastrophic hazards,  
32 if any, solely within the state of Colorado. However, if there is  
33 insufficient experience within Colorado upon which a rate can be based,  
34 the insurer may consider experiences within any other state or states  
35 which have a similar cost of claim and frequency of claim experience as  
36 the state of Colorado; and, if insufficient experience is available, the  
37 insurer may use a nationwide experience. The insurer, in its rate filing or  
38 in its records, shall expressly ~~show~~ STATE AND DESCRIBE what rate  
39 experience it is using, SPECIFYING THE STATE OR STATES FROM WHICH  
40 EXPERIENCES WERE DRAWN AND THE CONSIDERATIONS USED IN SETTING  
41 THE RATES. In considering experience outside the state of Colorado, as  
42 much weight as possible shall be given to the Colorado experience. The  
43 rates shall allow a reasonable margin for profit and contingencies,  
44 including dividends, savings, or unearned premium deposits allowed or  
45 returned by insurers to their policyholders, members, or subscribers. In  
46 determining profits, the insurer shall consider investment income from  
47 unearned premium reserves and reserves for incurred losses and incurred  
48 but not reported losses.

49  
50 **SECTION 4. No appropriation.** The general assembly has  
51 determined that this act can be implemented within existing  
52 appropriations, and therefore no separate appropriation of state moneys  
53 is necessary to carry out the purposes of this act.

54  
55 **SECTION 5. Effective date.** This act shall take effect at 12:01  
56 a.m. on the day following the expiration of the ninety-day period after

1 final adjournment of the general assembly that is allowed for submitting  
2 a referendum petition pursuant to article V, section 1 (3) of the state  
3 constitution (August 9, 2006, if adjournment sine die is on May 10,  
4 2006); except that, if a referendum petition is filed against this act or an  
5 item, section, or part of this act within such period, then the act, item,  
6 section, or part, if approved by the people, shall take effect on the date of  
7 the official declaration of the vote thereon by proclamation of the  
8 governor.".

9

10

11

12 **SB06-038** be amended as follows, and as so amended, be referred to  
13 the Committee on Appropriations with favorable  
14 recommendation:

15

16 Amend reengrossed bill, page 2, line 13, strike "COMMITTEE" and  
17 substitute "COMMITTEE, THE SENATE BUSINESS, LABOR AND TECHNOLOGY  
18 COMMITTEE, AND THE HOUSE BUSINESS AFFAIRS AND LABOR COMMITTEE,  
19 OR ANY SUCH SUCCESSOR COMMITTEES,".

20

21

22

23 **SB06-041** be referred to the Committee of the Whole with favorable  
24 recommendation.

25

26

27 **SB06-066** be amended as follows, and as so amended, be referred to  
28 the Committee of the Whole with favorable  
29 recommendation:

30

31 Amend reengrossed bill, page 2, line 5, strike "Parents" and substitute  
32 "The general assembly acknowledges and commends those employers  
33 that have policies and procedures in place to allow their employees time  
34 off from work to attend a child's academic activities, thereby fostering  
35 parental involvement their children's education. However, in some cases,  
36 parents".

37

38 Page 3, strike lines 17 through 19.

39

40 Renumber succeeding subsections accordingly.

41

42 Page 4, line 7, strike "TEN EMPLOYEES AT THE SAME TIME" and substitute  
43 "TWENTY-FIVE EMPLOYEES EMPLOYED IN COLORADO";

44

45 strike lines 9 through 27 and substitute the following:

46

47 **"8-13.5-103. Employer policies - leave for involvement in**  
48 **academic activities.** (1) BY JULY 1, 2007, AN EMPLOYER THAT DOES NOT  
49 HAVE A POLICY OR PROCEDURE IN PLACE ALLOWING EMPLOYEES TO TAKE  
50 LEAVE FOR THE PURPOSE OF ATTENDING AN ACADEMIC ACTIVITY FOR OR  
51 WITH THE EMPLOYEE'S CHILD SHALL DEVELOP A POLICY OR PROCEDURE TO  
52 ALLOW SUCH LEAVE. THE POLICY OR PROCEDURE MAY INCLUDE, BUT NEED  
53 NOT BE LIMITED TO, THE FOLLOWING:

54

55 (a) LIMITATIONS ON THE AMOUNT OF LEAVE THAT AN EMPLOYEE  
56 MAY USE FOR ATTENDING A CHILD'S ACADEMIC ACTIVITIES.

1 (b) PROVISIONS CONCERNING WHETHER THE LEAVE IS TO BE PAID  
 2 OR UNPAID AND WHETHER THE EMPLOYEE MAY USE OTHER FORMS OF  
 3 ACCRUED PAID LEAVE TO ATTEND A CHILD'S ACADEMIC ACTIVITIES.

4  
 5 (c) REQUIREMENTS CONCERNING THE NOTICE AN EMPLOYEE MUST  
 6 PROVIDE THE EMPLOYER IN ADVANCE OF THE LEAVE AND PROVISIONS  
 7 ALLOWING EXCEPTIONS TO THE NOTICE REQUIREMENTS.

8  
 9 (d) PROVISIONS REQUIRING EMPLOYEES TO MAKE REASONABLE  
 10 EFFORTS TO SCHEDULE A CHILD'S ACADEMIC ACTIVITIES FOR WHICH LEAVE  
 11 MAY BE TAKEN OUTSIDE OF REGULAR WORK HOURS.

12  
 13 **SECTION 3. Effective date.** (1) This act shall take effect July  
 14 1, 2007.

15  
 16 (2) However, if a referendum petition is filed against this act or  
 17 an item, section, or part of this act during the 90-day period after final  
 18 adjournment of the general assembly that is allowed for submitting a  
 19 referendum petition pursuant to article V, section 1 (3) of the state  
 20 constitution, then the act, item, section, or part, shall not take effect unless  
 21 approved by the people at a biennial regular general election and shall  
 22 take effect on the date specified in subsection (1) or on the date of the  
 23 official declaration of the vote thereon by proclamation of the governor,  
 24 whichever is later."

25  
 26 Strike page 5.

27  
 28  
 29  
 30  
 31 **EDUCATION**

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

34  
 35 **SB06-137** be referred to the Committee of the Whole with favorable  
 36 recommendation.

37  
 38  
 39 **SB06-176** be referred favorably to the Committee on Appropriations.

40  
 41  
 42  
 43  
 44 **LOCAL GOVERNMENT**

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

47  
 48 **HB06-1378** be postponed indefinitely.

49  
 50  
 51  
 52 **PRINTING REPORT**

53  
 54 The Chief Clerk reports the following bill has been correctly printed:  
 55 **HB06-1381.**

56

**SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

The Speaker has signed: **HB06-1007, 1080, 1084, 1093, 1098, 1112, 1118, 1156, 1191, 1195, 1198, 1207, 1210, 1215, 1239, 1254, 1321, 1340, 1368, 1369, 1370, 1371, 1372, 1373, 1374; SB06-003, 012, 016, 034, 084, 132, 142.**

**MESSAGES FROM THE SENATE**

The President announced that Senator Shaffer has replaced Senator Hanna as prime sponsor on HB06-1010;

Senator Sandoval has replaced Senator Hanna as prime sponsor on HB06-1056;

Senator Windels has replaced Senator Hanna as prime sponsor on HB06-1095;

and Senator Mitchell has replaced Senator Hanna as prime sponsor on HB06-1073.

The Senate has adopted and transmits herewith: SJR06-018.

The Senate has adopted and returns herewith: HJR06-1013;

HJR06-1017 amended on March 22, 2006, as printed in the Senate Journal.

The Senate has adopted and transmits herewith: SJM06-002 amended on March 22, 2006, as printed in the Senate Journal.

**APPOINTMENTS**

The Speaker announced the following appointment:  
Committee on Health & Human Resources--  
SB06-208--Representative McGihon to replace Representative Larson as prime sponsor.

**INTRODUCTION OF BILLS  
First Reading**

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

**HB06-1382** by Representative(s) Merrifield, McFadyen, Penry, Cloer, Larson, White, Stafford, Gallegos, Balmer, Benefield, Butcher, Carroll T., Cerbo, Clapp, Coleman, Decker, Frangas, Green, Hodge, Lindstrom, Madden, Marshall, Massey, May M., McKinley, Paccione, Plant, Ragsdale,

1 Riesberg, Rose, Solano, Soper, Stengel, Todd, Vigil; also  
 2 Senator(s) Shaffer, Jones--Concerning the creation of the  
 3 "Right to Rest in Peace Act".  
 4 Committee on Judiciary

5  
 6 **SB06-208** by Senator(s) Hanna; also Representative(s) McGihon--  
 7 Concerning the creation of the health care reform committee  
 8 for the purpose of studying health care reform issues, and  
 9 making an appropriation therefor.  
 10 Committee on Health and Human Services  
 11 Committee on Appropriations

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## 14 INTRODUCTION OF RESOLUTIONS

15  
 16 The following resolutions were read by title and laid over one day under  
 17 the rules:

18  
 19 **HR06-1007** by Representative(s) May M., Madden--Concerning the  
 20 establishment of an earlier deadline by which members of  
 21 the House of Representatives must request second reading  
 22 amendments to the annual general appropriation bill.

23  
 24 **HR06-1008** by Representative(s) Jahn, Gallegos, Cloer, Kerr--  
 25 Concerning the appointment of an employee for the House  
 26 of Representatives of the Sixty-fifth General Assembly.

27  
 28 **SJR06-018** by Senator(s) Sandoval; also Representative(s) Jahn--  
 29 Concerning Single Parents' Day.

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## 32 INTRODUCTION OF MEMORIAL

33  
 34 The following memorial was read by title and laid over one day under the  
 35 rules:

36  
 37 **SJM06-002** by Senator(s) May R.; also Representative(s) Garcia--  
 38 Concerning recognition of NASA's Space Exploration  
 39 Vision.

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### 42 Correction

43  
 44 H.J. page 849, line 24 after "112, " insert "187 amended,".  
 45

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## 48 LAY OVER OF CALENDAR ITEMS

49  
 50 On motion of Representative Garcia, the following items on the Calendar  
 51 were laid over until March 23, retaining place on Calendar:

52  
 53 Consideration of General Orders--**HB06-1352, SB06-115, 051, 112,**  
 54 **HB06-1096, 1314, HCR06-1001, SB06-042, 067, 119, 023, 025, 060,**  
 55 **106, HB06-1257, 1322.**

56 Consideration of Resolutions--**HJR06-1016, 1019, SJR06-013.**

1 Consideration of Senate Amendments--**HB06-1087, 1125, 1287, 1318,**  
2 **1295.**

3 Consideration of Governor's Veto--**HB06-1216.**

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7 On motion of Representative Garcia, the House adjourned until 9:00 a.m.,  
8 March 23, 2006.

9

10

Approved:

11

ANDREW ROMANOFF,

12

Speaker

13 Attest:

14 MARILYN EDDINS,

15 Chief Clerk