

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

Ninety-second Legislative Day

Wednesday, April 12, 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 Alec Szuch, Boy Scout Troop 644, Columbia
7 Middle School, Aurora.

8

9 The roll was called with the following result:

10

11 Present--59.

12 Excused--Representatives Butcher, Cloer, Garcia, Madden,
13 Pommer--5.

14 Absent--Representative Paccione--1.

15 Present after roll call--Representatives Cloer, Garcia, Madden,
16 Paccione, Pommer.

17

18 The Speaker declared a quorum present.

19

20

21 On motion of Representative Solano, the reading of the journal of
22 April 11, 2006, was declared dispensed with and approved as corrected
23 by the Chief Clerk.

24

25

26

27

CONSIDERATION OF RESOLUTION

28

29 **HJR06-1020** by Representative(s) Carroll T., Marshall, Paccione; also
30 Senator(s) Groff, Jones--Concerning the designation of a
31 portion of Interstate 70 as the Tuskegee Airmen Memorial
32 Highway.

33

34 (Printed and placed in member's file.)

35

36 On motion of Representative Carroll T., the resolution was read at length.

37

38 Amendment No. 1, moved by Representative Carroll T.

39

40 Amend printed joint resolution, page 2, line 39, strike "Peoria Street to
41 York" and substitute "Tower Road to Brighton Boulevard";

42

43

1 line 40, strike "Street".

2

3 Page 3, line 4, strike "Peoria Street to York Street" and substitute "Tower
4 Road to Brighton Boulevard".

5

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

7

8 On motion of Representative Carroll T, the resolution as amended was
9 **adopted** by **viva voce** vote.

10

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

12

13

14

House in recess. House reconvened.

15

16

17

18 CONSIDERATION OF CONFERENCE COMMITTEE REPORT

19

20 **SB06-145** by Senator(s) Shaffer, Hagedorn; also Representative(s)
21 McCluskey, Butcher--Concerning the authority of a local
22 government to impose a fee on certain medical providers
23 for purposes of obtaining federal financial participation
24 under medicaid for unreimbursed medicaid costs.

25

26 (Conference committee report printed in House Journal, April 4, page
27 1047.)

28

29 On motion of Representative McCluskey, the Conference Committee
30 Report was **adopted** by the following roll call vote:

31

32

	YES	64	NO	00	EXCUSED	01	ABSENT	00
33	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
34	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
35	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
36	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
37	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
38	Butcher	E	Hall	Y	Marshall	Y	Solano	Y
39	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
40	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
41	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
42	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
43	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
44	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
45	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
46	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
47	Curry	Y	King	Y	Penry	Y	White	Y
48	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
49							Speaker	Y

50

51 The question being "Shall the bill, as amended, 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
54 bill, as amended, was declared **repassed**.

55

	YES	61	NO	03	EXCUSED	01	ABSENT	00
1								
2	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
3	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
4	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
5	Borodkin	Y	Gardner	Y	Lundberg	N	Rose	Y
6	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
7	Butcher	E	Hall	Y	Marshall	Y	Solano	Y
8	Cadman	N	Harvey	Y	Massey	Y	Soper	Y
9	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
10	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
11	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
12	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
13	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
14	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
15	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
16	Curry	Y	King	Y	Penry	Y	White	Y
17	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Coleman, Frangas, Garcia, Kerr J.

23 THIRD READING OF BILLS--FINAL PASSAGE

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 **HB06-1171** by Representative(s) Riesberg; also Senator(s) Groff--
30 Concerning alcohol- and drug-related driving offenses,
31 and making an appropriation therewith.

32
33 The question being "Shall the bill pass?".

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

	YES	42	NO	22	EXCUSED	01	ABSENT	00
39	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
40	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
41	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
42	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
43	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
44	Butcher	E	Hall	N	Marshall	Y	Solano	Y
45	Cadman	N	Harvey	N	Massey	Y	Soper	Y
46	Carroll M	Y	Hefley	N	May	N	Stafford	N
47	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
48	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	N
49	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
50	Cloer	Y	Judd	Y	McKinley	N	Vigil	Y
51	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	N
52	Crane	Y	Kerr J	Y	Paccione	Y	Welker	N
53	Curry	Y	King	N	Penry	N	White	N
54	Decker	N	Knoedler	Y	Plant	Y	Witwer	Y
55							Speaker	Y

56 Co-sponsors added: Representatives Coleman, Green, Larson, Todd.

1 **HB06-1326** by Representative(s) Crane and Riesberg, Liston,
 2 Coleman, Schultheis, Marshall, Butcher, Todd, Balmer,
 3 Benefield, Berens, Borodkin, Boyd, Cadman, Carroll T.,
 4 Clapp, Cloer, Curry, Decker, Frangas, Gardner, Green,
 5 Hall, Harvey, Hefley, Hodge, Hoppe, Jahn, Kerr, King,
 6 Knoedler, Larson, Lindstrom, Lundberg, Massey, May M.,
 7 McCluskey, McFadyen, McGihon, McKinley, Merrifield,
 8 Paccione, Penry, Rose, Soper, Stafford, Stengel, Sullivan,
 9 Vigil, Welker, White, Witwer; also Senator(s) Grossman,
 10 Spence, Brophy, Hanna, Kester, May R., Shaffer, Taylor--
 11 Concerning identity theft, and making an appropriation in
 12 connection therewith.

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**.

	YES	63	NO	01	EXCUSED	01	ABSENT	00
20	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
21	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
22	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
23	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
24	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
25	Butcher	E	Hall	Y	Marshall	Y	Solano	Y
26	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
27	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
28	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
29	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
30	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
31	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
32	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	N
33	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
34	Curry	Y	King	Y	Penry	Y	White	Y
35	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
36							Speaker	Y

37 Co-sponsors added: Representatives Carroll M, Garcia, Kerr A, Madden,
 38 Solano, Speaker.

39
 40 **HB06-1383** by Representative(s) Jahn; also Senator(s) Owen--
 41 Concerning the regulation of insurers' market conduct by
 42 the commissioner of insurance.

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**.

	YES	61	NO	03	EXCUSED	01	ABSENT	00
50	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
51	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
52	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
53	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
54	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
55	Butcher	E	Hall	Y	Marshall	Y	Solano	Y
56	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y

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

11 Co-sponsors added: Representatives Coleman, Madden, McCluskey, Pommer.

12
 13 **SB06-002** by Senator(s) Shaffer; also Representative(s) Pommer--
 14 Concerning mandatory disclosure in connection with the
 15 purchase of residential real property of whether the
 16 property has been used as a methamphetamine laboratory.

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

23	YES	59	NO	05	EXCUSED	01	ABSENT	00
24	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
25	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
26	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
27	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	N
28	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
29	Butcher	E	Hall	Y	Marshall	Y	Solano	Y
30	Cadman	N	Harvey	Y	Massey	Y	Soper	Y
31	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
32	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
33	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
34	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
35	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
36	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
37	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
38	Curry	Y	King	N	Penry	Y	White	Y
39	Decker	N	Knoedler	Y	Plant	Y	Witwer	Y
40							Speaker	Y

41 Co-sponsors added: Representatives Borodkin, Buescher, Cloer, Coleman,
 42 Frangas, Garcia, Green, Knoedler, Madden, McGihon, Merrifield, Paccione,
 43 Solano, Sullivan, Todd.

44
 45 **SB06-120** by Senator(s) Dyer; also Representative(s) Hefley--
 46 Concerning the requirement of a full investigation prior to
 47 the amendment of licenses issued by state agencies.

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

54	YES	63	NO	01	EXCUSED	01	ABSENT	00
55	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
56	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y

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

16 Co-sponsor added: Representative Decker

17

18 **SB06-024** by Senator(s) Spence; also Representative(s) Paccione--
 19 Concerning student data from the elementary to secondary
 20 education system through the postsecondary education
 21 system.

22

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

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

27

28	YES	58	NO	06	EXCUSED	01	ABSENT	00
29	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
30	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
31	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
32	Borodkin	Y	Gardner	N	Lundberg	N	Rose	Y
33	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
34	Butcher	E	Hall	Y	Marshall	Y	Solano	Y
35	Cadman	N	Harvey	Y	Massey	Y	Soper	Y
36	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
37	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
38	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
39	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
40	Cloer	Y	Judd	Y	McKinley	N	Vigil	Y
41	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
42	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
43	Curry	Y	King	Y	Penry	Y	White	Y
44	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
45							Speaker	Y

46 Co-sponsors added: Representatives Benefield, Carroll M, Hodge, Kerr A,
 47 Riesberg, Solano, Todd, Vigil.

48

49

50 **SB06-144** by Senator(s) Tupa, Bacon, Tapia, Williams, Windels; also
 51 Representative(s) Plant, Benefield, Buescher, Cerbo,
 52 Decker, Gallegos, Madden, Massey, McFadyen,
 53 McKinley, Merrifield, Pommer, Solano, Todd,
 54 Weissmann, White--Concerning health insurance benefits
 55 for instructors at institutions of higher education.

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

24 Co-sponsors added: Representatives Carroll M, McGihon, Paccione.

25
 26 **SB06-197** by Senator(s) Isgar; also Representative(s) Curry--
 27 Concerning an extension of the period during which the
 28 voluntary contribution designation benefiting the nongame
 29 and endangered wildlife cash fund shall appear on the state
 30 individual income tax return forms.

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	55	NO	09	EXCUSED	01	ABSENT	00
38	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
39	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
40	Berens	Y	Garcia	N	Liston	Y	Riesberg	Y
41	Borodkin	Y	Gardner	Y	Lundberg	N	Rose	N
42	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
43	Butcher	E	Hall	Y	Marshall	Y	Solano	Y
44	Cadman	N	Harvey	N	Massey	Y	Soper	Y
45	Carroll M	Y	Hefley	Y	May	N	Stafford	Y
46	Carroll T	N	Hodge	Y	McCluskey	Y	Stengel	Y
47	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
48	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
49	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
50	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	N
51	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
52	Curry	Y	King	Y	Penry	Y	White	Y
53	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
54							Speaker	Y

55 Co-sponsor added: Representative Kerr J.

56

1 **SB06-202** by Senator(s) Traylor; also Representative(s) Vigil--
 2 Concerning the collection by the state of debts due to a
 3 governmental entity.
 4

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

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

28 Co-sponsor added: Representative Garcia.
 29

30 **SB06-035** by Senator(s) Hagedorn; also Representative(s) McGihon--
 31 Concerning the creation of a program to provide premium
 32 subsidies to certain individuals enrolled in a qualifying
 33 health benefit plan, and, in connection therewith, referring
 34 study of creation of the program to the health care task
 35 force.
 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	44	NO	20	EXCUSED	01	ABSENT	00
43	Balmer	N	Frangas	Y	Larson	Y	Pommer	Y
44	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
45	Berens	Y	Garcia	Y	Liston	N	Riesberg	Y
46	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
47	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
48	Butcher	E	Hall	Y	Marshall	Y	Solano	Y
49	Cadman	N	Harvey	N	Massey	Y	Soper	Y
50	Carroll M	Y	Hefley	Y	May	N	Stafford	Y
51	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	N
52	Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	N
53	Clapp	N	Jahn	Y	McGihon	Y	Todd	Y
54	Cloer	N	Judd	Y	McKinley	Y	Vigil	Y
55	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
56	Crane	Y	Kerr J	Y	Paccione	Y	Welker	N

1	Curry	Y	King	N	Penry	N	White	N
2	Decker	N	Knoedler	N	Plant	Y	Witwer	Y
3							Speaker	Y

4 Co-sponsors added: Representatives Benefield, Carroll M, Green, Todd.

5
 6 **SB06-201** by Senator(s) Veiga; also Representative(s) Benefield--
 7 Concerning an extension of the period during which the
 8 voluntary contribution designation benefiting the Colorado
 9 domestic abuse program fund shall appear on the state
 10 individual income tax return forms.

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

35 Co-sponsors added: Representatives Berens, Borodkin, Cloer, Coleman, Curry,
 36 Frangas, Gallegos, McCluskey, Merrifield, Todd, Speaker.

37
 38 **HB06-1166** by Representative(s) Judd; also Senator(s) Grossman--
 39 Concerning the interception of the payment of gambling
 40 winnings to satisfy certain obligations of the winner, and
 41 making an appropriation therefor.

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

48	YES	47	NO	16	EXCUSED	02	ABSENT	00
49	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
50	Benefield	Y	Gallegos	N	Lindstrom	Y	Ragsdale	Y
51	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
52	Borodkin	Y	Gardner	N	Lundberg	N	Rose	N
53	Buescher	Y	Green	Y	Madden	Y	Schultheis	N
54	Butcher	E	Hall	N	Marshall	Y	Solano	Y
55	Cadman	N	Harvey	Y	Massey	Y	Soper	Y
56	Carroll M	N	Hefley	Y	May	Y	Stafford	Y

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

10 Representative Carroll T. excused from voting under House Rule 21(c).
 11 Co-sponsors added: Representatives Benefield, Berens, Borodkin, Frangas,
 12 Kerr J, Knoedler, McGihon, Merrifield, Solano, Stafford, Todd, Speaker.

13
 14
 15 On motion of Representative Madden, **HB06-1306, 1024, 1126, 1153,**
 16 **1270, 1343, 1363, 1381, 1266, 1312, 1365, 1364** were added to the
 17 Special Orders Calendar on Wednesday, April 12, 2006.

18
 19
 20 On motion of Representative Paccione, the House resolved itself into
 21 Committee of the Whole for consideration of Special Orders and she was
 22 called to the Chair to act as Chairman.

23 24 25 **SPECIAL ORDERS--SECOND READING OF BILLS**

26
 27 The Committee of the Whole having risen, the Chairman reported the
 28 titles of the following bills had been read (reading at length had been
 29 dispensed with by unanimous consent), the bills considered and action
 30 taken thereon as follows:

31
 32 (Amendments to the committee amendment are to the printed committee
 33 report which was printed and placed in the members' bill file.)

34
 35 **SB06-090** by Senator(s) Wiens, Johnson; also Representative(s)
 36 Harvey--Concerning local government cooperation with
 37 federal officials regarding the immigration status of
 38 persons in this state.

39
 40 (Previously amended as printed in House Journal, April 11, pages
 41 1122-1123.)

42
 43 Amendment No. 6, by Representative Vigil.

44
 45 Amend reengrossed bill, page 3, line 13, strike "FOR A CRIMINAL
 46 OFFENSE".

47
 48 Amendment No. 7, by Representative Carroll M.

49
 50 Amend reengrossed bill, page 3, line 11, strike "REASONABLY BELIEVES"
 51 and substitute "HAS PROBABLE CAUSE".

52
 53 As amended, ordered revised and placed on the Calendar for Third
 54 Reading and Final Passage.
 55 (For change in action, see Amendments to Report, page 1158.)

56

- 1 **HB06-1058** by Representative(s) Pommer; also Senator(s) Williams--
2 Concerning creation of a surcharge to be paid by persons
3 convicted of certain crimes against children.
4
- 5 Amendment No. 1, Judiciary Report, dated January 26, 2006, and placed
6 in member's bill file; Report also printed in House Journal, January 27,
7 pages 112.
8
- 9 Amendment No. 2, Appropriations Report, dated April 10, 2006, and
10 placed in member's bill file; Report also printed in House Journal, April
11 10, page 1112.
12
- 13 As amended, ordered engrossed and placed on the Calendar for Third
14 Reading and Final Passage.
15
- 16 **HB06-1306** by Representative(s) Knoedler; also Senator(s) Traylor--
17 Concerning the requirement of a statewide audit to study
18 the implementation of the "Secure and Verifiable Identity
19 Document Act".
20
- 21 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
22 February 21, 2006, and placed in member's bill file; Report also printed
23 in House Journal, February 22, page 490.
24
- 25 Amendment No. 2, Appropriations Report, dated April 6, 2006, and
26 placed in member's bill file; Report also printed in House Journal, April
27 6, pages 1074-1075.
28
- 29 As amended, ordered engrossed and placed on the Calendar for Third
30 Reading and Final Passage.
31
- 32 **HB06-1314** by Representative(s) Cerbo; also Senator(s) Tochtrop--
33 Concerning a prohibition against certain employer
34 communications to an employee.
35
- 36 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
37 March 14, 2006, and placed in member's bill file; Report also printed in
38 House Journal, March 16, page 789.
39
- 40 Amendment No. 2, by Representative Cerbo.
41
- 42 Amend the State, Veterans, & Military Affairs Committee Report, dated
43 March 14, 2006, strike lines 4 and 5 and substitute the following:
44
- 45 "strike lines 23 through 25 and substitute the following:
46
47 "EMPLOYER-SPONSORED MEETING, THE PURPOSE OF WHICH IS TO EXPRESS".
48
49 Page 3, strike line 7;
50
51 line 8, strike "(2) OF THIS SECTION" and substitute "MEETING".
52
- 53 Page 4, strike lines 5 through 7 and substitute the following:
54
55 "TO ATTEND AN EMPLOYER-SPONSORED MEETING, THE PRIMARY PURPOSE
56 OF WHICH IS TO".

1 Amend printed bill, page 3, line 20, before "AND", insert "REASONABLE
2 ATTORNEY FEES,";

3
4 line 22, strike "THE COURT SHALL";

5
6 strike lines 23 and 24.

7
8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.

10
11 **HB06-1024** by Representative(s) Frangas; also Senator(s) Tapia--
12 Concerning underserved students at institutions of higher
13 education.

14
15 Amendment No. 1, Education Report, dated February 2, 2006, and placed
16 in member's bill file; Report also printed in House Journal, February 3,
17 pages 201-202.

18
19 Amendment No. 2, Appropriations Report, dated April 10, 2006, and
20 placed in member's bill file; Report also printed in House Journal, April
21 10, pages 1111-1112.

22
23 As amended, ordered engrossed and placed on the Calendar for Third
24 Reading and Final Passage.

25
26 **HB06-1126** by Representative(s) Green, Benefield, Butcher, Coleman,
27 Frangas, Garcia, Lindstrom, Solano; also Senator(s)
28 Tochtrop--Concerning the safety of children's products.

29
30 (Previously amended as printed in House Journal, February 17, pages
31 385-386; also February 22, pages 472-473.)

32
33 Amendment No. 3, Appropriations Report, dated April 10, 2006, and
34 placed in member's bill file; Report also printed in House Journal, April
35 10, page 1112.

36
37 Amendment No. 4, by Representative Green.

38
39 Amend printed bill, page 3, line 8, strike "EQUIPMENT," and substitute
40 "STRUCTURE".

41
42 As amended, ordered engrossed and placed on the Calendar for Third
43 Reading and Final Passage.

44
45 On motion of Representative Madden, the remainder of the Special
46 Orders Calendar (**HB06-1280, 1153, 1270, 1343, 1363, 1381, 1266, 1312,**
47 **1365, 1364**) was laid over until April 13, retaining place on Calendar.

48
49
50
51 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

52
53 Representative Harvey moved to amend the Report of the Committee of
54 the Whole to show that Amendment No. 5 (printed in House Journal,
55 April 11, 2006, page 1123, lines 3-9) by Representative Pommer to
56 SB06-090, did not pass, and that **SB06-090**, as amended, did pass.

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

	YES	33	NO	31	EXCUSED	01	ABSENT	00
4	Balmer	Y	Frangas	N	Larson	Y	Pommer	N
5	Benefield	N	Gallegos	N	Lindstrom	N	Ragsdale	N
6	Berens	Y	Garcia	N	Liston	Y	Riesberg	Y
7	Borodkin	N	Gardner	Y	Lundberg	Y	Rose	Y
8	Buescher	N	Green	N	Madden	N	Schultheis	Y
9	Butcher	E	Hall	Y	Marshall	N	Solano	N
10	Cadman	Y	Harvey	Y	Massey	Y	Soper	N
11	Carroll M	N	Hefley	Y	May	Y	Stafford	Y
12	Carroll T	N	Hodge	N	McCluskey	Y	Stengel	Y
13	Cerbo	N	Hoppe	Y	McFadyen	N	Sullivan	Y
14	Clapp	Y	Jahn	N	McGihon	N	Todd	Y
15	Cloer	Y	Judd	N	McKinley	N	Vigil	N
16	Coleman	N	Kerr A	N	Merrifield	N	Weissmann	N
17	Crane	Y	Kerr J	Y	Paccione	N	Welker	Y
18	Curry	N	King	Y	Penry	Y	White	Y
19	Decker	Y	Knoedler	Y	Plant	N	Witwer	Y
20							Speaker	Y

21
22 Representatives Liston, Gardner, Rose, Lundberg, and Cadman moved to
23 amend the Report of the Committee of the Whole to show that
24 **HB06-1314**, as amended, did not pass.

25
26 The amendment was declared **lost** by the following roll call vote:

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

46
47 Representative Stafford moved to amend the Report of the Committee of
48 the Whole to show that **HB06-1126**, as amended, did not pass.

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

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

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

14
15
16
17 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

18
19 Passed Second Reading: **SB06-090 amended, HB06-1058 amended,**
20 **1306 amended, 1314 amended, 1024 amended, 1126 amended.**

21
22 Laid over until date indicated retaining place on Calendar: **HB06-1280,**
23 **1153, 1270, 1343, 1363, 1381, 1266, 1312, 1365, 1364--April 13, 2006.**

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

30	YES	64	NO	00	EXCUSED	01	ABSENT	00
31	Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
32	Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
33	Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
34	Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
35	Buescher	Y	Green	Y	Madden	Y	Schultheis	Y
36	Butcher	E	Hall	Y	Marshall	Y	Solano	Y
37	Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
38	Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
39	Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
40	Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
41	Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
42	Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
43	Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
44	Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
45	Curry	Y	King	Y	Penry	Y	White	Y
46	Decker	Y	Knoedler	Y	Plant	Y	Witwer	Y
47							Speaker	Y

48
49
50
51 House in recess. House reconvened.
52
53
54
55

REPORTS OF COMMITTEES OF REFERENCE**APPROPRIATIONS**

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

HB06-1362 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Finance Committee Report, dated March 22, 2006, page 1, line 4, strike "STATE GENERAL FUND" and substitute "LIMITED GAMING FUND PURSUANT TO SECTION 12-47.1-701 (4) (a) (III), C.R.S.,";

line 15, strike ""(c)."" and substitute ""(c)"";

after line 15, insert the following:

"after line 25, insert the following:

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

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

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

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

(III) FOR THE 2005-06 FISCAL YEAR, OF THE PORTION OF LIMITED GAMING FUND MONEYS THAT WOULD OTHERWISE BE TRANSFERRED TO THE GENERAL FUND PURSUANT TO SECTION 9 (5) (b) (II) OF ARTICLE XVIII OF THE STATE CONSTITUTION, AFTER THE TRANSFER TO THE LOCAL GOVERNMENT LIMITED GAMING IMPACT FUND REQUIRED BY SECTION 12-47.1-1601, AND AFTER ANY OTHER TRANSFER OR DISTRIBUTION OF THE GENERAL FUND PORTION OF LIMITED GAMING FUND MONEYS REQUIRED BY THIS PARAGRAPH (a), ONE MILLION DOLLARS SHALL BE TRANSFERRED TO THE COLORADO ECONOMIC DEVELOPMENT COMMISSION CREATED IN SECTION 24-46-102, C.R.S., TO FUND PERFORMANCE-BASED INCENTIVES FOR THE MOTION PICTURE INDUSTRY PURSUANT TO SECTION 24-46-105.8, C.R.S., BEGINNING IN THE 2006-07 FISCAL YEAR.

SECTION 4. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the limited gaming fund created in section 12-47.1-701 (1), Colorado Revised Statutes, not otherwise appropriated, to the office of the governor, for allocation to the Colorado economic development commission, for the fiscal year beginning July 1, 2006, the sum of one million dollars

1 (\$1,000,000), or so much thereof as may be necessary, for the
2 implementation of this act."
3

4 Renumber succeeding section accordingly.
5

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

9
10

11

12 **HEALTH & HUMAN SERVICES**

13 After consideration on the merits, the Committee recommends the
14 following:
15

16 **HB06-1392** be referred to the Committee of the Whole with favorable
17 recommendation.
18

19

20 **HB06-1395** be amended as follows, and as so amended, be referred to
21 the Committee on Finance with favorable
22 recommendation:
23

24 Amend printed bill, page 2, strike line 15 and substitute the following:
25

26 "are amended, and the said 26-4-527 is further amended BY THE
27 ADDITION OF A NEW SUBSECTION, to read:"
28

29 Page 3, line 21, strike "~~department~~ STATE BOARD" and substitute
30 "department".
31

32 Page 4, strike lines 23 through 27.
33

34 Page 5, strike lines 1 through 10 and substitute the following:
35

36 "(b) NOTWITHSTANDING THE PROVISIONS OF SECTION 26-1-122,
37 FOR FISCAL YEARS 2006-07 AND 2007-08, THE ANNUAL COUNTY
38 CONTRIBUTION SHALL BE REDUCED TO THE COUNTY'S FISCAL YEAR
39 2004-05 ACTUAL CONTRIBUTION.
40

41 (c) ON OR BEFORE JANUARY 15, 2008, THE DEPARTMENT OF
42 HUMAN SERVICES, IN COLLABORATION WITH THE CHILD WELFARE
43 ALLOCATION COMMITTEE, SHALL SUBMIT A RECOMMENDATION TO THE
44 JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY REGARDING THE
45 COUNTY CONTRIBUTION TOWARD THE ACTUAL COST OF PROVIDING
46 RESIDENTIAL CHILD HEALTH CARE SERVICES PURSUANT TO THIS SECTION
47 FOR FISCAL YEAR 2008-09 AND FOR EACH FISCAL YEAR THEREAFTER. THE
48 DEPARTMENT OF HUMAN SERVICES SHALL INCLUDE IN ITS SUBMISSION TO
49 THE JOINT BUDGET COMMITTEE ANY LEGISLATIVE CHANGES THAT MAY BE
50 NECESSARY TO ACCOMPLISH ANY CHANGE IN THE COUNTY CONTRIBUTION.
51

52 (6) SERVICES PROVIDED IN A RESIDENTIAL CHILD CARE FACILITY
53 BY A PROVISIONAL LICENSEE AS DEFINED IN SECTION 12-43-201 (7.8),
54 C.R.S., TO MEDICAID-ELIGIBLE CHILDREN SHALL RECEIVE MEDICAID
55 REIMBURSEMENT ONLY IF APPROVED BY THE FEDERAL GOVERNMENT."
56

1 Page 6, line 13, strike "**Definitions.**" and substitute "**Definitions -**
2 **repeal.**";
3
4 line 15, after "(7.7)", insert "(a)";
5
6 after line 16, insert the following:
7
8 "(b) THIS SUBSECTION (7.7) IS REPEALED, EFFECTIVE JULY 1,
9 2011.";
10
11 line 17, after "(7.8)", insert "(a)";
12
13 after line 18, insert the following:
14
15 "(b) THIS SUBSECTION (7.8) IS REPEALED, EFFECTIVE JULY 1,
16 2011.";
17
18 line 22, strike "**Provisional license.**" and substitute "**Provisional license**
19 **- repeal.**";
20
21 line 24, after "DEGREE", insert "THAT MEETS THE EDUCATIONAL
22 REQUIREMENTS FOR LICENSURE IN SECTION 12-43-304, 12-43-403,
23 12-43-504, OR 12-43-603, AS APPLICABLE,";
24
25 after line 26, insert the following:
26
27 "(b) A PROVISIONAL LICENSE SHALL BE ISSUED TO A QUALIFIED
28 APPLICANT FOR A PERIOD NOT TO EXCEED TWO YEARS AND MAY BE
29 RENEWED FOR ONE ADDITIONAL TWO-YEAR PERIOD, SO LONG AS THE
30 PROVISIONAL LICENSEE CONTINUES TO MEET THE REQUIREMENTS OF A
31 PROVISIONAL LICENSE."
32
33 Reletter succeeding paragraphs accordingly.
34
35 Page 7, line 2, strike "PASSAGE OF" and substitute "FAILURE TO PASS";
36
37 line 3, strike "ARTICLE;" and substitute "ARTICLE WITHIN TWO YEARS OF
38 ISSUANCE OF THE PROVISIONAL LICENSE;";
39
40 strike lines 4 through 6 and substitute the following:
41
42 "(II) THIRTY DAYS AFTER TERMINATION OF THE PROVISIONAL
43 LICENSEE'S EMPLOYMENT WITH A QUALIFYING RESIDENTIAL CHILD CARE
44 FACILITY, UNLESS THE PROVISIONAL LICENSEE OBTAINS AND SUBMITS TO
45 THE BOARD PROOF OF EMPLOYMENT WITH ANOTHER RESIDENTIAL CHILD
46 CARE FACILITY; OR";
47
48 line 11, after "LICENSEE", insert "AND THE SUPERVISOR OF THE LICENSEE";
49
50 after line 12, insert the following:
51
52 "(e) A PROVISIONAL LICENSEE AND THE EMPLOYER OF THE
53 LICENSEE SHALL NOTIFY THE BOARD OF ANY CHANGES IN EMPLOYMENT,
54 INCLUDING BUT NOT LIMITED TO, TERMINATION OF EMPLOYMENT, WITHIN
55 THIRTY DAYS AFTER THE CHANGE.";
56

1 line 19, strike "SIGNATURE" and substitute "LICENSE NUMBER";

2

3 line 20, strike "LICENSURE APPLICANT." and substitute "LICENSEE AND
4 SHALL BE SIGNED BY THE LICENSEE PROVIDING SUPERVISION.";

5

6 after line 20, insert the following:

7

8 "(3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2011.".

9

10

11

12 **SB06-045** be referred favorably to the Committee on Finance.

13

14

15 **SB06-122** be referred favorably to the Committee on Finance.

16

17

18

19

20 **LOCAL GOVERNMENT**

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

23

24 **SB06-089** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:

27

28 Amend reengrossed bill, strike everything below the enacting clause and
29 substitute the following:

30

31 "SECTION 1. 38-33.3-106.5 (1) (a), (1) (b), (1) (c), the
32 introductory portion to 38-33.3-106.5 (1) (d), and 38-33.3-106.5 (1) (d)
33 (II), (1) (d) (IV), and (1) (f), Colorado Revised Statutes, are amended, and
34 the said 38-33.3-106.5 is further amended BY THE ADDITION OF A
35 NEW SUBSECTION, to read:

36

37 **38-33.3-106.5. Prohibitions contrary to public policy -
38 patriotic and political expression - emergency vehicles - fire
39 prevention - definitions.** (1) Notwithstanding any provision in the
40 declaration, bylaws, or rules and regulations of the association to the
41 contrary, an association shall not prohibit any of the following:

42

43 (a) The display of the American flag ~~by a unit owner~~ on that A
44 unit owner's property, in a window of the unit, ~~owner's residence~~, or on
45 a balcony adjoining the unit ~~owner's property~~ if the American flag is
46 displayed in a manner consistent with the federal flag code, P.L. 94-344;
47 90 stat. 810; 4 U.S.C. SECS. 4 to 10. The association may adopt
48 reasonable rules regarding the placement and manner of display of the
49 American flag. The association rules may regulate the location and size
50 of flags and flagpoles, but shall not prohibit the installation of a flag or
51 flagpole.

52

53 (b) The display ~~by a unit owner~~ of a service flag bearing a star
54 denoting the service of the OWNER OR OCCUPANT OF THE unit, ~~owner~~ or
55 OF a member of the ~~unit owner's~~ OR OCCUPANT'S immediate family, in the
56 active or reserve military service of the United States during a time of war

1 or armed conflict, on the inside of a window or door of the unit. ~~owner's~~
2 ~~residence~~. The association may adopt reasonable rules regarding the size
3 and manner of display of service flags; except that the maximum
4 dimensions allowed shall be not less than nine inches by sixteen inches.
5

6 (c) (I) The display of a political sign by THE OWNER OR OCCUPANT
7 OF a unit ~~owner~~ on ~~that unit owner's~~ property WITHIN THE BOUNDARIES OF
8 THE UNIT or in a window of the unit; ~~owner's residence~~; except that:
9

10 (A) An association may prohibit the display of political signs
11 earlier than forty-five days before the day of an election and later than
12 seven days after an election day; AND
13

14 (B) An association may regulate the size and number of political
15 signs ~~that may be placed on a unit owner's property if the association's~~
16 ~~regulation is no more restrictive than any applicable city, town, or county~~
17 ~~ordinance that regulates the size and number of political signs on~~
18 ~~residential property. If the city, town, or county in which the property is~~
19 ~~located does not regulate the size and number of political signs on~~
20 ~~residential property~~ IN ACCORDANCE WITH SUBPARAGRAPH (II) OF THIS
21 PARAGRAPH (c).
22

23 (II) The association shall permit at least one political sign per
24 political office or ballot issue that is contested in a pending election. ~~with~~
25 The maximum dimensions of EACH SIGN MAY BE LIMITED TO THE LESSER
26 OF THE FOLLOWING:
27

28 (A) THE MAXIMUM SIZE ALLOWED BY ANY APPLICABLE CITY,
29 TOWN, OR COUNTY ORDINANCE THAT REGULATES THE SIZE OF POLITICAL
30 SIGNS ON RESIDENTIAL PROPERTY; OR
31

32 (B) Thirty-six inches by forty-eight inches. ~~on a unit owner's~~
33 ~~property~~.
34

35 (H) (III) As used in this paragraph (c), "political sign" means a
36 sign that carries a message intended to influence the outcome of an
37 election, including supporting or opposing the election of a candidate, the
38 recall of a public official, or the passage of a ballot issue.
39

40 (d) The parking of a motor vehicle by THE OCCUPANT OF a unit
41 ~~owner~~ on a street, driveway, or guest parking area in the common interest
42 community if the vehicle is required to be available at designated periods
43 at ~~the unit owner's~~ SUCH OCCUPANT'S residence as a condition of the ~~unit~~
44 ~~owner's~~ OCCUPANT'S employment and all of the following criteria are met:
45

46 (II) The ~~unit owner~~ OCCUPANT is a bona fide member of a
47 volunteer fire department or is employed by ~~an emergency service~~
48 ~~provider, as defined in section 29-11-101 (1.6), C.R.S.~~ A PRIMARY
49 PROVIDER OF EMERGENCY FIRE FIGHTING, LAW ENFORCEMENT,
50 AMBULANCE, OR EMERGENCY MEDICAL SERVICES;
51

52 (IV) Parking of the vehicle can be accomplished without
53 obstructing emergency access or interfering with the reasonable needs of
54 other unit owners OR OCCUPANTS to use streets, ~~and~~ driveways, AND
55 GUEST PARKING SPACES within the common interest community.
56

1 (f) ~~(I) The replacement by a unit owner of cedar shakes or other~~
2 ~~flammable roofing materials with nonflammable roofing materials for fire~~
3 ~~prevention or fire suppression purposes.~~

4
5 (H) ~~The declaration or bylaws may specify reasonable standards~~
6 ~~for the color, appearance, and general type of nonflammable roofing~~
7 ~~materials that are used to replace flammable roofing materials, but may~~
8 ~~not require the use of nonflammable materials that exceed the~~
9 ~~replacement cost of the flammable materials for which they are being~~
10 ~~substituted.~~

11
12 (2) NOTWITHSTANDING ANY PROVISION IN THE DECLARATION,
13 BYLAWS, OR RULES AND REGULATIONS OF THE ASSOCIATION TO THE
14 CONTRARY, AN ASSOCIATION SHALL NOT REQUIRE THE USE OF CEDAR
15 SHAKES OR OTHER FLAMMABLE ROOFING MATERIALS.

16
17 **SECTION 2.** 38-33.3-116 (2), Colorado Revised Statutes, is
18 amended to read:

19
20 **38-33.3-116. Exception for new small cooperatives and small**
21 **and limited expense planned communities.** (2) (a) If a cooperative or
22 planned community created in this state on or after July 1, 1998, contains
23 only units restricted to nonresidential use, or contains no more than
24 twenty units and is not subject to any development rights, it is subject
25 only to sections 38-33.3-105, 38-33.3-106, and 38-33.3-107, unless the
26 declaration provides that this entire article is applicable.

27
28 (b) If a planned community created in this state after July 1, 1998,
29 provides, in its declaration, that the annual average common expense
30 liability of each unit restricted to residential purposes, exclusive of
31 optional user fees and any insurance premiums paid by the association,
32 may not exceed four hundred dollars, as adjusted pursuant to subsection
33 (3) of this section, it is subject only to sections 38-33.3-105, 38-33.3-106,
34 and 38-33.3-107, unless the declaration provides that this entire article is
35 applicable. NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE
36 CONTRARY, A PLANNED COMMUNITY MAY AMEND ITS DECLARATION TO
37 INCLUDE THE LIMITATION ON ANNUAL AVERAGE COMMON EXPENSE
38 LIABILITY SET FORTH IN THIS PARAGRAPH (b) OR MAY PROCEED UNDER THE
39 ELECTION PROCESS SET FORTH IN SECTION 38-33.3-118.

40
41 **SECTION 3.** 38-33.3-117 (1) (g), (1.5) (a), and (1.5) (e),
42 Colorado Revised Statutes, are amended to read:

43
44 **38-33.3-117. Applicability to preexisting common interest**
45 **communities.** (1) Except as provided in section 38-33.3-119, the
46 following sections shall apply to all common interest communities created
47 within this state before July 1, 1992, with respect to events and
48 circumstances occurring on or after July 1, 1992:

49
50 (g) 38-33.3-122 and 38-33.3-123; ~~(2);~~

51
52 (1.5) Except as provided in section 38-33.3-119, the following
53 sections shall apply to all common interest communities created within
54 this state before July 1, 1992, with respect to events and circumstances
55 occurring on or after January 1, 2006:

56

1 (a) ~~38-33.3-123(1)~~;

2
3 (e) ~~38-33.3-223~~;

4
5 **SECTION 4.** 38-33.3-123 (1) (c), Colorado Revised Statutes, is
6 amended to read:

7
8 **38-33.3-123. Enforcement - limitation.** (1) (c) ~~For each claim~~
9 ~~or defense, including but not limited to counterclaims, cross-claims, and~~
10 ~~third-party claims, and except as otherwise provided in paragraph (d) of~~
11 ~~this subsection (1); In any legal proceeding CIVIL ACTION to enforce or~~
12 ~~defend the provisions of this article or of the declaration, bylaws, articles,~~
13 ~~or rules and regulations, the court shall award to the party prevailing on~~
14 ~~such claim the prevailing party's reasonable collection costs and attorney~~
15 ~~fees, and costs, incurred in asserting or defending the claim AND COSTS~~
16 ~~OF COLLECTION TO THE PREVAILING PARTY.~~

17
18 **SECTION 5.** 38-33.3-124 (1), Colorado Revised Statutes, is
19 amended to read:

20
21 **38-33.3-124. Legislative declaration - alternative dispute**
22 **resolution encouraged - policy statement required.** (1) (a) The
23 general assembly finds and declares that the cost, complexity, and delay
24 inherent in court proceedings make litigation a particularly inefficient
25 means of resolving neighborhood disputes. Therefore, common interest
26 communities are encouraged to adopt protocols that make use of
27 mediation or arbitration as alternatives to, or preconditions upon, the
28 filing of a complaint between a unit owner and association in situations
29 that do not involve an imminent threat to the peace, health, or safety of
30 the community.

31
32 (b) EACH ASSOCIATION SHALL ADOPT A WRITTEN POLICY SETTING
33 FORTH ITS PROCEDURE FOR ADDRESSING DISPUTES ARISING BETWEEN THE
34 ASSOCIATION AND UNIT OWNERS. THE ASSOCIATION SHALL MAKE A COPY
35 OF THIS POLICY AVAILABLE TO UNIT OWNERS UPON REQUEST.

36
37 **SECTION 6.** 38-33.3-209.4 (1) and (2) (e), Colorado Revised
38 Statutes, are amended to read:

39
40 **38-33.3-209.4. Public disclosures required - identity of**
41 **association - agent - manager - contact information.** (1) ~~The~~
42 ~~association shall provide to all unit owners, at least once per year, a~~
43 ~~written notice stating~~ WITHIN NINETY DAYS AFTER ASSUMING CONTROL
44 FROM THE DECLARANT PURSUANT TO SECTION 38-33.3-303 (5), THE
45 ASSOCIATION SHALL MAKE THE FOLLOWING INFORMATION AVAILABLE TO
46 UNIT OWNERS UPON REASONABLE NOTICE IN ACCORDANCE WITH
47 SUBSECTION (3) OF THIS SECTION. IN ADDITION, IF THE ASSOCIATION'S
48 ADDRESS, DESIGNATED AGENT, OR MANAGEMENT COMPANY CHANGES, THE
49 ASSOCIATION SHALL MAKE UPDATED INFORMATION AVAILABLE WITHIN
50 NINETY DAYS AFTER THE CHANGE:

51
52 (a) The name of the association;

53
54 (b) The name of the association's designated agent or management
55 company, if any; ~~and~~

56

1 (c) A valid physical address and telephone number for both the
2 association and the designated agent or management company, if any;

3
4 (d) ~~The notice shall also include~~ The name of the common interest
5 community;

6
7 (e) The initial date of recording of the declaration; and

8
9 (f) The reception number or book and page for the main document
10 that constitutes the declaration. ~~If the association's address, designated~~
11 ~~agent, or management company changes, the association shall provide all~~
12 ~~unit owners with an amended notice within ninety days after the change.~~
13

14 (2) Within ninety days after assuming control from the declarant
15 pursuant to section 38-33.3-303 (5), and within ninety days after the end
16 of each fiscal year thereafter, the association shall make the following
17 information available to unit owners upon reasonable notice in
18 accordance with subsection (3) of this section:

19
20 (e) The results of ~~any~~ ITS MOST RECENT AVAILABLE financial audit
21 or review; ~~for the fiscal year immediately preceding the current annual~~
22 ~~disclosure;~~
23

24 **SECTION 7.** 38-33.3-209.5 (1) (a), (1) (b) (VI), and (1) (b) (VII),
25 Colorado Revised Statutes, are amended, and the said 38-33.3-209.5 (1)
26 (b) is further amended BY THE ADDITION OF A NEW
27 SUBPARAGRAPH, to read:

28
29 **38-33.3-209.5. Responsible governance policies.** (1) To
30 promote responsible governance, associations shall:

31
32 (a) Maintain ACCURATE AND COMPLETE accounting records ~~using~~
33 ~~generally accepted accounting principles~~ ON AN ACCRUAL, CASH, OR
34 MODIFIED ACCRUAL BASIS OF ACCOUNTING; and
35

36 (b) Adopt policies, procedures, and rules and regulations
37 concerning:

38
39 (VI) Investment of reserve funds; ~~and~~

40
41 (VII) Procedures for the adoption and amendment of policies,
42 procedures, and rules; AND

43
44 (VIII) PROCEDURES FOR ADDRESSING DISPUTES ARISING BETWEEN
45 THE ASSOCIATION AND UNIT OWNERS.

46
47 **SECTION 8.** 38-33.3-217 (1) and (4), Colorado Revised Statutes,
48 are amended to read:

49
50 **38-33.3-217. Amendment of declaration.** (1) (a) (I) Except in
51 ~~cases of amendments that may be executed by a declarant under section~~
52 ~~38-33.3-205 (4) and (5), 38-33.3-208 (3), 38-33.3-209 (6), 38-33.3-210,~~
53 ~~or 38-33.3-222, by an association under section 38-33.3-107, 38-33.3-206~~
54 ~~(4), 38-33.3-208 (2), 38-33.3-212, 38-33.3-213, or 38-33.3-218 (11) and~~
55 ~~(12), or by the district court for any county that includes all or any portion~~
56 ~~of a common interest community under subsection (7) of this section, and~~

1 ~~except as limited by subsection (4) of this section,~~ AS OTHERWISE
2 PROVIDED IN SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH (a), the
3 declaration, including the plats and maps, may be amended only by the
4 affirmative vote or agreement of unit owners of units to which more than
5 fifty percent of the votes in the association are allocated or any larger
6 percentage, not to exceed sixty-seven percent, that the declaration
7 specifies. Any provision in the declaration that purports to specify a
8 percentage larger than sixty-seven percent is hereby declared void as
9 contrary to public policy, and until amended, such provision shall be
10 deemed to specify a percentage of sixty-seven percent. The declaration
11 may specify a smaller percentage than a simple majority only if all of the
12 units are restricted exclusively to nonresidential use. NOTHING IN THIS
13 PARAGRAPH (a) SHALL BE CONSTRUED TO PROHIBIT THE ASSOCIATION
14 FROM SEEKING A COURT ORDER, IN ACCORDANCE WITH SUBSECTION (7) OF
15 THIS SECTION, TO REDUCE THE REQUIRED PERCENTAGE TO LESS THAN
16 SIXTY-SEVEN PERCENT.

17

18 (II) IF THE DECLARATION PROVIDES FOR AN INITIAL PERIOD OF
19 APPLICABILITY TO BE FOLLOWED BY AUTOMATIC EXTENSION PERIODS, THE
20 DECLARATION MAY BE AMENDED AT ANY TIME IN ACCORDANCE WITH
21 SUBPARAGRAPH (I) OF THIS PARAGRAPH (a).

22

23 (III) THIS PARAGRAPH (a) SHALL NOT APPLY:

24

25 (A) TO THE EXTENT THAT ITS APPLICATION IS LIMITED BY
26 SUBSECTION (4) OF THIS SECTION;

27

28 (B) TO AMENDMENTS EXECUTED BY A DECLARANT UNDER SECTION
29 38-33.3-205 (4) AND (5), 38-33.3-208 (3), 38-33.3-209 (6), 38-33.3-210,
30 OR 38-33.3-222;

31

32 (C) TO AMENDMENTS EXECUTED BY AN ASSOCIATION UNDER
33 SECTION 38-33.3-107, 38-33.3-206 (4), 38-33.3-208 (2), 38-33.3-212,
34 38-33.3-213, OR 38-33.3-218 (11) AND (12); OR

35

36 (D) TO AMENDMENTS EXECUTED BY THE DISTRICT COURT FOR ANY
37 COUNTY THAT INCLUDES ALL OR ANY PORTION OF A COMMON INTEREST
38 COMMUNITY UNDER SUBSECTION (7) OF THIS SECTION.

39

40 (b) (I) If the declaration requires first mortgagees to approve or
41 consent to amendments, BUT DOES NOT SET FORTH A PROCEDURE FOR
42 REGISTRATION OR NOTIFICATION OF FIRST MORTGAGEES, the association
43 ~~shall~~ MAY:

44

45 (A) Send a dated, written notice and a copy of any proposed
46 amendment by certified mail to each first mortgagee at its most recent
47 address as shown on the recorded deed of trust or recorded assignment
48 thereof; AND

49

50 (B) ~~In addition, the association shall~~ Cause the dated notice,
51 together with information on how to obtain a copy of the proposed
52 amendment, to be printed in full at least twice, on separate occasions at
53 least one week apart, in a newspaper of general circulation in the county
54 in which the common interest community is located.

55

56

1 (II) A first mortgagee that does not deliver to the association a
2 negative response within sixty days after the date of the notice SPECIFIED
3 IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) shall be deemed to have
4 approved the proposed amendment.

5
6 (III) THE NOTIFICATION PROCEDURE SET FORTH IN THIS
7 PARAGRAPH (b) IS NOT MANDATORY. IF THE CONSENT OF FIRST
8 MORTGAGEES IS OBTAINED WITHOUT RESORT TO THIS PARAGRAPH (b), AND
9 OTHERWISE IN ACCORDANCE WITH THE DECLARATION, THE NOTICE TO
10 FIRST MORTGAGEES SHALL BE CONSIDERED SUFFICIENT.

11
12 (4) (a) Except to the extent expressly permitted or required by
13 other provisions of this article, no amendment may create or increase
14 special declarant rights, increase the number of units, or change the
15 boundaries of any unit or the allocated interests of a unit in the absence
16 of a vote or agreement of unit owners of units to which at least
17 sixty-seven percent of the votes in the association, including sixty-seven
18 percent of the votes allocated to units not owned by a declarant, are
19 allocated or any larger percentage the declaration specifies. The
20 declaration may specify a smaller percentage only if all of the units are
21 restricted exclusively to nonresidential use.

22
23 (b) THE SIXTY-SEVEN-PERCENT MAXIMUM PERCENTAGE STATED IN
24 PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION SHALL NOT APPLY TO
25 ANY COMMON INTEREST COMMUNITY IN WHICH ONE UNIT OWNER, BY
26 VIRTUE OF THE DECLARATION, BYLAWS, OR OTHER GOVERNING
27 DOCUMENTS OF THE ASSOCIATION, IS ALLOCATED MORE THAN
28 SIXTY-SEVEN PERCENT OF THE VOTES IN THE ASSOCIATION.

29
30 **SECTION 9.** 38-33.3-303 (2) and (4) (b), Colorado Revised
31 Statutes, are amended, and the said 38-33.3-303 is further amended BY
32 THE ADDITION OF A NEW SUBSECTION, to read:

33
34 **38-33.3-303. Executive board members and officers - powers**
35 **and duties - audit.** (2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION
36 (2.5) OF THIS SECTION:

37
38 (a) If appointed by the declarant, in the performance of their
39 duties, the officers and members of the executive board are required to
40 exercise the care required of fiduciaries of the unit owners.

41
42 (b) If not appointed by the declarant, no member of the executive
43 board and no officer shall be liable for actions taken or omissions made
44 in the performance of such member's duties except for wanton and
45 willful acts or omissions.

46
47 (2.5) WITH REGARD TO THE INVESTMENT OF RESERVE FUNDS OF
48 THE ASSOCIATION, THE OFFICERS AND MEMBERS OF THE EXECUTIVE
49 BOARD SHALL BE SUBJECT TO THE STANDARDS SET FORTH IN SECTION
50 7-128-401, C.R.S.; EXCEPT THAT, AS USED IN THAT SECTION:

51
52 (a) "CORPORATION" OR "NONPROFIT CORPORATION" MEANS THE
53 ASSOCIATION.

54
55 (b) "DIRECTOR" MEANS A MEMBER OF THE ASSOCIATION'S
56 EXECUTIVE BOARD.

1 (c) "OFFICER" MEANS ANY PERSON DESIGNATED AS AN OFFICER OF
2 THE ASSOCIATION AND ANY PERSON TO WHOM THE EXECUTIVE BOARD
3 DELEGATES RESPONSIBILITIES UNDER THIS ARTICLE, INCLUDING, WITHOUT
4 LIMITATION, A MANAGING AGENT, ATTORNEY, OR ACCOUNTANT EMPLOYED
5 BY THE EXECUTIVE BOARD.

6
7 (4) (b) (I) AT THE DISCRETION OF THE EXECUTIVE BOARD OR UPON
8 REQUEST PURSUANT TO SUBPARAGRAPH (II) OR (III) OF THIS PARAGRAPH
9 (b) AS APPLICABLE, the books and records of the association shall be
10 subject to an audit, using generally accepted auditing standards, or a
11 review, using statements on standards for accounting and review services,
12 ~~at least once every two years~~ by a AN INDEPENDENT AND QUALIFIED
13 person selected by the executive board. Such person need not be a
14 certified public accountant except in the case of an audit, OR SHALL HAVE
15 AT LEAST A BASIC UNDERSTANDING OF THE PRINCIPLES OF ACCOUNTING AS
16 A RESULT OF PRIOR BUSINESS EXPERIENCE, EDUCATION ABOVE THE HIGH
17 SCHOOL LEVEL, OR BONA FIDE HOME STUDY. THE AUDIT OR REVIEW
18 REPORT SHALL COVER THE ASSOCIATION'S FINANCIAL STATEMENTS, WHICH
19 SHALL BE PREPARED ON AN ACCRUAL, CASH, OR MODIFIED ACCRUAL BASIS
20 OF ACCOUNTING.

21
22 (II) An audit shall be required under this paragraph (b) only when
23 both of the following conditions are met:

24
25 (A) The association has annual revenues or expenditures of at
26 least two hundred fifty thousand dollars; and

27
28 (B) An audit is requested by the owners of at least one-third of
29 the units represented by the association.

30
31 (III) A REVIEW SHALL BE REQUIRED UNDER THIS PARAGRAPH (b)
32 ONLY WHEN REQUESTED BY THE OWNERS OF AT LEAST ONE-THIRD OF THE
33 UNITS REPRESENTED BY THE ASSOCIATION.

34
35 ~~(HH)~~ (IV) Copies of an audit or review under this paragraph (b)
36 shall be made available upon request to any unit owner beginning no
37 later than thirty days after its completion.

38
39 ~~(IV)~~ (V) Notwithstanding section 38-33.3-117 (1.5) (h), this
40 paragraph (b) shall not apply to an association that includes time-share
41 units, as defined in section 38-33-110 (7).

42
43 **SECTION 10.** 38-33.3-308 (1), (2.5) (a), and (2.5) (b), Colorado
44 Revised Statutes, are amended to read:

45
46 **38-33.3-308. Meetings.** (1) Meetings of the unit owners, as the
47 members of the association, shall be held at least once each year. Special
48 meetings of the unit owners may be called by the president, by a majority
49 of the executive board, or by unit owners having twenty percent, or any
50 lower percentage specified in the bylaws, of the votes in the association.
51 Not less than ten nor more than fifty days in advance of any meeting of
52 the unit owners, the secretary or other officer specified in the bylaws shall
53 cause notice to be hand delivered or sent prepaid by United States mail to
54 the mailing address of each unit or to any other mailing address
55 designated in writing by the unit owner. The notice of any meeting OF
56 THE UNIT OWNERS shall be physically posted in a conspicuous place, to

1 the extent that such posting is feasible and practicable, in addition to any
 2 electronic posting or electronic mail notices that may be given pursuant
 3 to paragraph (b) of subsection (2) of this section. The notice shall state
 4 the time and place of the meeting and the items on the agenda, including
 5 the general nature of any proposed amendment to the declaration or
 6 bylaws, any budget changes, and any proposal to remove an officer or
 7 member of the executive board.

8
 9 (2.5) (a) Notwithstanding any provision in the declaration, bylaws,
 10 or other documents to the contrary, all meetings of the association and
 11 board of directors are open to every unit owner of the association, or to
 12 any person designated by a unit owner in writing as the unit owner's
 13 representative. ~~and all unit owners or designated representatives so~~
 14 ~~desiring shall be permitted to attend, listen, and speak at an appropriate~~
 15 ~~time during the deliberations and proceedings; except that, for regular and~~
 16 ~~special meetings of the board, unit owners who are not board members~~
 17 ~~may not participate in any deliberation or discussion unless expressly so~~
 18 ~~authorized by a vote of the majority of a quorum of the board.~~

19
 20 (b) AT AN APPROPRIATE TIME DETERMINED BY THE BOARD, BUT
 21 BEFORE THE BOARD VOTES ON AN ISSUE UNDER DISCUSSION, UNIT OWNERS
 22 OR THEIR DESIGNATED REPRESENTATIVES SHALL BE PERMITTED TO SPEAK
 23 REGARDING THAT ISSUE. The board may place reasonable time
 24 restrictions on those persons speaking during the meeting. ~~but shall~~
 25 ~~permit a unit owner or a unit owner's designated representative to speak~~
 26 ~~before the board takes formal action on an item under discussion, in~~
 27 ~~addition to any other opportunities to speak.~~ IF MORE THAN ONE PERSON
 28 DESIRES TO ADDRESS AN ISSUE AND THERE ARE OPPOSING VIEWS, the board
 29 shall provide for a reasonable number of persons to speak on each side of
 30 an THE issue.

31
 32 **SECTION 11.** 38-33.3-310(1)(b)(I), Colorado Revised Statutes,
 33 is amended to read:

34
 35 **38-33.3-310. Voting - proxies.** (1) (b) (I) (A) Votes for
 36 CONTESTED positions on the executive board shall be taken by secret
 37 ballot. ~~and;~~ THIS SUBPARAGRAPH (A) SHALL NOT APPLY TO AN
 38 ASSOCIATION WHOSE GOVERNING DOCUMENTS PROVIDE FOR ELECTION OF
 39 POSITIONS ON THE EXECUTIVE BOARD BY DELEGATES ON BEHALF OF THE
 40 UNIT OWNERS.

41
 42 (B) AT THE DISCRETION OF THE BOARD OR upon the request of ~~one~~
 43 ~~or more~~ TWENTY PERCENT OF THE unit owners WHO ARE PRESENT AT THE
 44 MEETING OR REPRESENTED BY PROXY, IF A QUORUM HAS BEEN ACHIEVED,
 45 a vote on any ~~other~~ matter affecting the common interest community on
 46 which all unit owners are entitled to vote shall be by secret ballot.

47
 48 (C) Ballots shall be counted by a neutral third party or by a ~~unit~~
 49 ~~owner who is not a candidate, who attends the meeting at which the vote~~
 50 ~~is held, and who is selected at random from a pool of two or more such~~
 51 ~~unit owners~~ COMMITTEE OF VOLUNTEERS. SUCH VOLUNTEERS SHALL BE
 52 UNIT OWNERS WHO ARE SELECTED OR APPOINTED AT AN OPEN MEETING, IN
 53 A FAIR MANNER, BY THE CHAIR OF THE BOARD OR ANOTHER PERSON
 54 PRESIDING DURING THAT PORTION OF THE MEETING. THE VOLUNTEERS
 55 SHALL NOT BE BOARD MEMBERS AND, IN THE CASE OF A CONTESTED
 56 ELECTION FOR A BOARD POSITION, SHALL NOT BE CANDIDATES.

1 (D) The results of ~~the~~ A vote TAKEN BY SECRET BALLOT shall be
2 reported without reference to THE names, addresses, or other identifying
3 information OF UNIT OWNERS PARTICIPATING IN SUCH VOTE.
4

5 **SECTION 12.** 38-33.3-310.5, Colorado Revised Statutes, is
6 REPEALED AND REENACTED, WITH AMENDMENTS, to read:
7

8 **38-33.3-310.5. Executive board - conflicts of interest -**
9 **definitions.** (1) SECTION 7-128-501, C.R.S., SHALL APPLY TO MEMBERS
10 OF THE EXECUTIVE BOARD; EXCEPT THAT, AS USED IN THAT SECTION:
11

12 (a) "CORPORATION" OR "NONPROFIT CORPORATION" MEANS THE
13 ASSOCIATION.
14

15 (b) "DIRECTOR" MEANS A MEMBER OF THE ASSOCIATION'S
16 EXECUTIVE BOARD.
17

18 (c) "OFFICER" MEANS ANY PERSON DESIGNATED AS AN OFFICER OF
19 THE ASSOCIATION AND ANY PERSON TO WHOM THE BOARD DELEGATES
20 RESPONSIBILITIES UNDER THIS ARTICLE, INCLUDING, WITHOUT LIMITATION,
21 A MANAGING AGENT, ATTORNEY, OR ACCOUNTANT EMPLOYED BY THE
22 BOARD.
23

24 **SECTION 13.** 38-33.3-317 (2), (3), (4), and (7), Colorado
25 Revised Statutes, are amended to read:
26

27 **38-33.3-317. Association records.** (2) (a) EXCEPT AS
28 OTHERWISE PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (2), all
29 financial and other records shall be made reasonably available for
30 examination and copying by any unit owner and such owner's authorized
31 agents.
32

33 (b) (I) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION
34 (2), A MEMBERSHIP LIST OR ANY PART THEREOF MAY NOT BE OBTAINED OR
35 USED BY ANY PERSON FOR ANY PURPOSE UNRELATED TO A UNIT OWNER'S
36 INTEREST AS A UNIT OWNER WITHOUT CONSENT OF THE EXECUTIVE
37 BOARD.
38

39 (II) WITHOUT LIMITING THE GENERALITY OF SUBPARAGRAPH (I) OF
40 THIS PARAGRAPH (b), WITHOUT THE CONSENT OF THE EXECUTIVE BOARD,
41 A MEMBERSHIP LIST OR ANY PART THEREOF MAY NOT BE:
42

43 (A) USED TO SOLICIT MONEY OR PROPERTY UNLESS SUCH MONEY
44 OR PROPERTY WILL BE USED SOLELY TO SOLICIT THE VOTES OF THE UNIT
45 OWNERS IN AN ELECTION TO BE HELD BY THE ASSOCIATION;
46

47 (B) USED FOR ANY COMMERCIAL PURPOSE; OR
48

49 (C) SOLD TO OR PURCHASED BY ANY PERSON.
50

51 (3) The association may charge a fee, ~~not to~~ WHICH MAY BE
52 COLLECTED IN ADVANCE BUT WHICH SHALL NOT exceed the association's
53 actual cost per page, for copies of association records.
54

55 (4) As used in this section, "reasonably available" means available
56 during normal business hours, upon notice of five business days, OR AT

1 THE NEXT REGULARLY SCHEDULED MEETING IF SUCH MEETING OCCURS
2 WITHIN THIRTY DAYS AFTER THE REQUEST, to the extent that:

- 3
4 (a) The request is made in good faith and for a proper purpose;
5
6 (b) The request describes with reasonable particularity the records
7 sought and the purpose of the request; and
8
9 (c) The records are relevant to the purpose of the request.

10
11 (7) This section shall not be construed to invalidate any provision
12 of the declaration, bylaws, the corporate law under which the association
13 is organized, or other documents that more broadly defines records of the
14 association that are subject to inspection and copying by unit owners, or
15 that grants unit owners freer access to such records; EXCEPT THAT THE
16 PRIVACY PROTECTIONS CONTAINED IN PARAGRAPH (b) OF SUBSECTION (2)
17 OF THIS SECTION SHALL SUPERSEDE ANY SUCH PROVISION.

18
19 **SECTION 14. Repeal.** 38-33.3-223, Colorado Revised Statutes,
20 is repealed.

21
22 **SECTION 15.** 38-35.7-102, Colorado Revised Statutes, is
23 REPEALED AND REENACTED, WITH AMENDMENTS, to read:

24
25 **38-35.7-102. Disclosure - common interest community -**
26 **obligation to pay assessments - requirement for architectural**
27 **approval.** (1) ON AND AFTER JANUARY 1, 2007, EVERY CONTRACT FOR
28 THE PURCHASE AND SALE OF RESIDENTIAL REAL PROPERTY IN A COMMON
29 INTEREST COMMUNITY SHALL CONTAIN A DISCLOSURE STATEMENT IN
30 BOLD-FACED TYPE THAT IS CLEARLY LEGIBLE AND IN SUBSTANTIALLY THE
31 FOLLOWING FORM:

32
33 **"THE PROPERTY IS LOCATED WITHIN A**
34 **COMMON INTEREST COMMUNITY AND IS**
35 **SUBJECT TO THE DECLARATION FOR SUCH**
36 **COMMUNITY. THE OWNER OF THE PROPERTY**
37 **WILL BE REQUIRED TO BE A MEMBER OF THE**
38 **OWNER'S ASSOCIATION FOR THE COMMUNITY**
39 **AND WILL BE SUBJECT TO THE BYLAWS AND**
40 **RULES AND REGULATIONS OF THE**
41 **ASSOCIATION. THE DECLARATION, BYLAWS,**
42 **AND RULES AND REGULATIONS WILL IMPOSE**
43 **FINANCIAL OBLIGATIONS UPON THE OWNER**
44 **OF THE PROPERTY, INCLUDING AN**
45 **OBLIGATION TO PAY ASSESSMENTS OF THE**
46 **ASSOCIATION. IF THE OWNER DOES NOT PAY**
47 **THESE ASSESSMENTS, THE ASSOCIATION**
48 **COULD PLACE A LIEN ON THE PROPERTY AND**
49 **POSSIBLY SELL IT TO PAY THE DEBT. THE**
50 **DECLARATION, BYLAWS, AND RULES AND**
51 **REGULATIONS OF THE COMMUNITY MAY**
52 **PROHIBIT THE OWNER FROM MAKING**
53 **CHANGES TO THE PROPERTY WITHOUT AN**
54 **ARCHITECTURAL REVIEW BY THE**
55 **ASSOCIATION (OR A COMMITTEE OF THE**
56 **ASSOCIATION) AND THE APPROVAL OF THE**

1 **ASSOCIATION. PURCHASERS OF PROPERTY**
2 **WITHIN THE COMMON INTEREST COMMUNITY**
3 **SHOULD INVESTIGATE THE FINANCIAL**
4 **OBLIGATIONS OF MEMBERS OF THE**
5 **ASSOCIATION. PURCHASERS SHOULD**
6 **CAREFULLY READ THE DECLARATION FOR THE**
7 **COMMUNITY AND THE BYLAWS AND RULES**
8 **AND REGULATIONS OF THE ASSOCIATION."**
9

10 (2) (a) THE OBLIGATION TO PROVIDE THE DISCLOSURE SET FORTH
11 IN SUBSECTION (1) OF THIS SECTION SHALL BE UPON THE SELLER, AND, IN
12 THE EVENT OF THE FAILURE BY THE SELLER TO PROVIDE THE WRITTEN
13 DISCLOSURE DESCRIBED IN SUBSECTION (1) OF THIS SECTION, THE
14 PURCHASER SHALL HAVE A CLAIM FOR RELIEF AGAINST THE SELLER FOR
15 ACTUAL DAMAGES DIRECTLY AND PROXIMATELY CAUSED BY SUCH
16 FAILURE PLUS COURT COSTS. IT SHALL BE AN AFFIRMATIVE DEFENSE TO
17 ANY CLAIM FOR DAMAGES BROUGHT UNDER THIS SECTION THAT THE
18 PURCHASER HAD ACTUAL OR CONSTRUCTIVE KNOWLEDGE OF THE FACTS
19 AND INFORMATION REQUIRED TO BE DISCLOSED.
20

21 (b) UPON REQUEST, THE SELLER SHALL EITHER PROVIDE TO THE
22 BUYER OR AUTHORIZE THE UNIT OWNERS' ASSOCIATION TO PROVIDE TO
23 THE BUYER, UPON PAYMENT OF THE ASSOCIATION'S USUAL FEE PURSUANT
24 TO SECTION 38-33.3-317 (3), ALL OF THE COMMON INTEREST COMMUNITY'S
25 GOVERNING DOCUMENTS AND FINANCIAL DOCUMENTS, AS LISTED IN THE
26 MOST RECENT AVAILABLE VERSION OF THE CONTRACT TO BUY AND SELL
27 REAL ESTATE PROMULGATED BY THE REAL ESTATE COMMISSION AS OF THE
28 DATE OF THE CONTRACT.
29

30 (3) THIS SECTION SHALL NOT APPLY TO THE SALE OF A UNIT THAT
31 IS A TIME SHARE UNIT, AS DEFINED IN SECTION 38-33-110 (7).
32

33 **SECTION 16.** 10-4-110.8 (5), Colorado Revised Statutes, is
34 amended to read:
35

36 **10-4-110.8. Homeowner's insurance - prohibited practices -**
37 **definitions.** (5) (a) In a common interest community, as defined in
38 section 38-33.3-103 (8), C.R.S., a unit owner may file a claim against the
39 policy of the unit owner's association to the same extent, and with the
40 same effect, as if the unit owner were ~~an additional~~ A named insured IF
41 THE FOLLOWING CONDITIONS ARE MET:
42

43 (I) THE UNIT OWNER HAS CONTACTED THE EXECUTIVE BOARD OR
44 THE ASSOCIATION'S MANAGING AGENT IN WRITING, AND IN ACCORDANCE
45 WITH ANY APPLICABLE ASSOCIATION POLICIES OR PROCEDURES FOR
46 OWNER-INITIATED INSURANCE CLAIMS, REGARDING THE SUBJECT MATTER
47 OF THE CLAIM;
48

49 (II) THE UNIT OWNER HAS GIVEN THE ASSOCIATION AT LEAST
50 FIFTEEN DAYS TO RESPOND IN WRITING, AND, IF SO REQUESTED, HAS GIVEN
51 THE ASSOCIATION'S AGENT A REASONABLE OPPORTUNITY TO INSPECT THE
52 DAMAGE; AND
53

54 (III) THE SUBJECT MATTER OF THE CLAIM FALLS WITHIN THE
55 ASSOCIATION'S INSURANCE RESPONSIBILITIES.
56

1 (b) THE ASSOCIATION'S INSURER, WHEN DETERMINING PREMIUMS
2 TO BE CHARGED TO THE ASSOCIATION, SHALL NOT TAKE INTO ACCOUNT
3 ANY REQUEST BY A UNIT OWNER FOR A CLARIFICATION OF COVERAGE.

4 **SECTION 17. Safety clause.** The general assembly hereby finds,
5 determines, and declares that this act is necessary for the immediate
6 preservation of the public peace, health, and safety."

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9
10 **SB06-185** be postponed indefinitely.

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15 **STATE, VETERANS, & MILITARY AFFAIRS**

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

18
19 **SB06-063** be amended as follows, and as so amended, be referred to
20 the Committee on Appropriations with favorable
21 recommendation:

22
23 Amend reengrossed bill, page 3, line 20, strike "AND" and substitute "OR".

24
25
26
27 **SB06-064** be amended as follows, and as so amended, be referred to
28 the Committee on Appropriations with favorable
29 recommendation:

30
31 Amend reengrossed bill, page 7, line 3, strike "DEADLINES;" and
32 substitute "DEADLINES, AND ANY COMMENTS MADE BY A VENDOR
33 CONCERNING THE PERFORMANCE OF THE GOVERNMENTAL BODY IN
34 MEETING ITS CONTRACTUAL OBLIGATIONS UNDER THE PERSONAL SERVICES
35 CONTRACT;"

36
37 line 10, strike "24-102-206." and substitute "24-102-206; AND".

38
39 Page 9, line 13, after the period, insert "THE EVALUATION SHALL INCLUDE
40 A SECTION ALLOWING A VENDOR TO PROVIDE COMMENTS CONCERNING THE
41 PERFORMANCE OF THE GOVERNMENTAL BODY IN MEETING ITS
42 CONTRACTUAL OBLIGATIONS UNDER THE PERSONAL SERVICES
43 CONTRACT.";

44
45 strike lines 16 through 18 and substitute the following:
46 "SPECIFIED IN ARTICLE 109 OF THIS TITLE."

47
48 Page 11, line 26, after the period, add "THE ACCOUNTABILITY SECTION
49 SHALL INCLUDE A REQUIREMENT THAT PAYMENT BY THE GOVERNMENTAL
50 BODY TO THE VENDOR SHALL BE MADE WITHOUT DELAY UPON SUCCESSFUL
51 COMPLETION OF ALL OR ANY PART OF THE CONTRACT IN ACCORDANCE
52 WITH THE PAYMENT SCHEDULE SPECIFIED IN THE CONTRACT OR AS
53 OTHERWISE AGREED UPON BY THE PARTIES."

54
55 Page 12, line 10, strike "ALL" and, after "RECORDS", insert "RELATING TO
56 THE VENDOR'S PERFORMANCE UNDER THE CONTRACT".

1 Page 13, strike lines 14 through 17 and substitute the following:
 2 "CONTRACT.";
 3
 4 strike line 27 and substitute the following:
 5
 6 "EXECUTIVE DIRECTOR, UPON A SHOWING OF GOOD CAUSE BY A
 7 GOVERNMENTAL BODY, MAY".
 8
 9 Page 14, line 3, strike "CAUSE," and substitute "CAUSE BY A VENDOR OR
 10 GOVERNMENTAL BODY,";
 11
 12 strike lines 8 through 11.
 13
 14 Page 16, strike lines 6 through 9 and substitute the following:
 15
 16 "APPEAL SPECIFIED IN ARTICLE 109 OF THIS TITLE."
 17

18
 19 **REPORT FROM THE SENATE AND HOUSE**
 20 **COMMITTEES ON DELAYED BILLS**
 21

22 Pursuant to Joint Rule 23 (c), the House and Senate Committees on
 23 Delayed Bills, acting jointly, extend the following deadline for House Bill
 24 No. 06-1375, Concerning the Financing of Public Schools:
 25

26 The Friday, March 17 deadline (the 66th legislative day) for final passage,
 27 including any conference committee report, for any bill prescribing all or
 28 a substantial portion of the total funding for public schools pursuant to the
 29 "Public School Finance Act of 1994", article 54 of title 22, Colorado
 30 Revised Statutes, as extended until Friday, April 7, 2006 (the 87th
 31 legislative day) and subsequently until Wednesday, April 12, 2006 (the
 32 92nd legislative day) is further extended until Thursday, April 13, 2006
 33 (the 93rd legislative day).
 34

35 This memorandum shall be printed in the journal of each house as is
 36 required by said Joint Rule 23(c).
 37

38 (signed)	(signed)
39 Andrew Romanoff	Joan Fitz-Gerald
40 Alice Madden	Ken Gordon
41 Joe Stengel	Mark Hillman

42
 43
 44 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
 45

46 The Speaker has signed: **HB06-1351**.
 47
 48

49 **MESSAGES FROM THE SENATE**
 50

51 The Senate has adopted and transmits herewith: SJR06-027.
 52
 53

54 The Senate has adopted and returns herewith: HJR06-1020.
 55
 56

MESSAGES FROM THE GOVERNOR

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I certify I received the following on the 12th day of April, 2006, at 3:15 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

April 11, 2006

The Honorable Colorado House of Representatives
Sixty-Fifth General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I am returning to the House of Representatives House Bill 06-1056, "Concerning the provision of healthy nutrition alternatives in public schools." I vetoed this bill as of 5:15 p.m. today and this letter sets forth my reasons for doing so.

House Bill 1056 would require each school district board of education to adopt a policy specifying that at least 50 percent of vending machine items meet acceptable nutritional standards. Current law encourages school districts to adopt such a policy, but H.B. 1056 takes the additional step of mandating the policy and eliminating the authority of local school boards to make that decision.

Supporters of the bill believe that H.B. 1056 would help fight the growing epidemic of childhood obesity, and I respect this position. There is no question that obesity and associated health complications resulting from a sedentary lifestyle are escalating problems for our youth. Though I am in favor of efforts to improve the physical and nutritional lifestyles of Colorado's children, I cannot support legislation that micromanages school districts and their policies.

A recent casual observation of the two vending machines in the basement of the state Capitol found the following items: 10 assorted types of chips, 20 varieties of candy bars, 13 different cookies and pastries, three types of crackers and two styles of nuts. There were only three choices that might be considered "healthy" and those consisted of bits of dried fruit in bags. School groups visiting here might well note the inconsistencies between the mandates in HB 1056 and actual practices in the Capitol.

It was only last year that the legislature passed and I signed Senate Bill 05-198 encouraging school districts to increase healthy nutrition alternatives in vending machines, and currently 12 percent of school districts have already voluntarily adopted those recommendations. As current contracts for vending machine contents expire, I trust that school boards will continue to provide increased healthy options to students. It is, however, a decision that is best left to local school districts to make.

1 Accordingly, I have vetoed this bill.

2

3 Sincerely,

4 (signed)

5 Bill Owens

6

7

8 April 12, 2006

9

10 To the Honorable

11 House of Representatives

12 Sixty-fifth General Assembly

13 Second Regular Session

14 Denver, CO 80203

15

16 Ladies and Gentlemen:

17

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

20

21 **HB06-1088** Concerning The Modification Of Statues Of Limitations
22 For Commencing Court Proceedings Involving Unlawful
23 Sexual Behavior Toward Children.

24

25 Approved April 12, 2006 at 10:50 a.m.

26

27 Sincerely,

28 (signed)

29 Bill Owens

30 Governor

31

32

33

34

35 **INTRODUCTION OF CONCURRENT RESOLUTION**

36

37 The following resolution was read by title and referred to the committee
38 indicated:

39

40 **HCR06-1006** by Representative(s) Cloer, Schultheis, Crane, Harvey,
41 Lundberg, Sullivan; also Senator(s) Lamborn--Submitting
42 to the registered electors of the state of Colorado an
43 amendment to section 19 of article X of the constitution of
44 the state of Colorado, concerning the calculation of state
45 taxable income, and, in connection therewith, establishing
46 a deduction to state taxable income for federal income tax
47 paid.

48 Committee on Finance

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INTRODUCTION OF RESOLUTION1
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The following resolution was read by title and laid over one day under the rules:

SJR06-027 by Senator(s) Entz, Kester, Mitchell, Wiens; also Representative(s) Penry, Cloer, Carroll T., Lundberg, Harvey, Stafford, Schultheis, Liston, Romanoff, Berens-- Concerning condemnation of the Chinese government's persecution of practitioners of Falun Gong.

12
13**LAY OVER OF CALENDAR ITEMS**14
15

On motion of Representative Madden, the following items on the Calendar were laid over until April 13, retaining place on Calendar:

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Consideration of Third Reading--**HB06-1352**.
Consideration of General Orders--**HB06-1096, HCR06-1001, HB06-1322, SB06-114, 066, HB06-1111, 1302, SB06-203, 204, 205, 037, HB06-1131, 1149, 1283**.
Consideration of Conference Committee Report--**HB06-1159**.
Consideration of Resolution--**HJR06-1016**.
Consideration of Senate Amendments--**HB06-1125, 1193, 1338, 1275**.
Consideration of Governor's Vetoes--**HB06-1216, 1005, 1023, 1369, 1371, 1374, 1010**.

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On motion of Representative Madden, the House adjourned until 9:00 a.m., April 13, 2006.

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Approved:
ANDREW ROMANOFF,
Speaker

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Attest:
MARILYN EDDINS,
Chief Clerk