

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

Ninety-first Legislative Day

Tuesday, April 11, 2006

1 Prayer by Pastor Curtis Miller, Worship Center, Brighton.  
2  
3 The Speaker called the House to order at 9:00 a.m.  
4  
5 Pledge of Allegiance led by the 9th, 10th and 11th grade students from  
6 Gateway High School, Aurora.  
7  
8 The roll was called with the following result:  
9  
10 Present--47.  
11 Excused--Representatives Buescher, Butcher, Coleman, Curry,  
12 Garcia, Gardner, Hall, Hoppe, Judd, King, Knoedler, Madden,  
13 McGihon, Penry, Plant, Riesberg, Vigil, Weissmann--18.  
14 Present after roll call--Representatives Buescher, Coleman, Curry,  
15 Garcia, Gardner, Hall, Hoppe, Judd, King, Knoedler, Madden,  
16 McGihon, Penry, Plant, Riesberg, Vigil, Weissmann.  
17  
18 The Speaker declared a quorum present.  
19  
20  
21 On motion of Representative Solano, the reading of the journal of  
22 April 10, 2006, was declared dispensed with and approved as corrected  
23 by the Chief Clerk.  
24

**MESSAGE FROM THE SENATE**

25  
26  
27  
28  
29 The Senate has adopted and transmits herewith: SJR06-026.  
30  
31

**INTRODUCTION AND CONSIDERATION OF RESOLUTION**

32  
33  
34  
35 **SJR06-026** by Senator(s) Isgar; also Representative(s) Larson, Rose--  
36 Concerning the recognition of the 100th Anniversary of  
37 Mesa Verde National Park.  
38

39 (Printed and placed in members file.)  
40

41 On motion of Representative Garcia, the rules were suspended and the  
42 resolution given immediate consideration.  
43

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

3  
4 Co-sponsors added: Roll Call of the House.

5  
6  
7  
8 On motion of Representative Garcia, **HB06-1366, 1383, SB06-002, 120,**  
9 **024, 144, 197, 202, 035, 201, HB06-1314, 1058, 1166** were added to the  
10 Special Orders Calendar on Tuesday, April 11, 2006.

11  
12  
13  
14 On motion of Representative Hodge, the House resolved itself into  
15 Committee of the Whole for consideration of Special Orders and she was  
16 called to the Chair to act as Chairman.

17  
18  
19  
20 **SPECIAL ORDERS--SECOND READING OF BILLS**

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

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

29  
30 **SB06-090** by Senator(s) Wiens, Johnson; also Representative(s)  
31 Harvey--Concerning local government cooperation with  
32 federal officials regarding the immigration status of  
33 persons in this state.

34  
35 Amendment No. 1, State, Veterans, & Military Affairs Report, dated  
36 April 4, 2006, and placed in member's bill file; Report also printed in  
37 House Journal, April 5, pages 1064-1065.

38  
39 Amendment No. 2, by Representative Harvey.

40  
41 Amend the State, Veterans, & Military Affairs Committee Report, dated  
42 April 4, 2006, page 1, strike lines 12 and 13.

43  
44 Amendment No. 3, by Representative Carroll T.

45  
46 Amend the State, Veterans, and Military Affairs Committee Report, dated  
47 April 4, 2006, page 1, line 10, strike "C.R.S." and substitute "C.R.S.,  
48 UNTIL SUCH TIME AS THE ARRESTEE IS CONVICTED OF A DOMESTIC  
49 VIOLENCE OFFENSE.".

50  
51 Amendment No. 4, by Representative Garcia.

52  
53 Amend reengrossed bill, page 4, line 8, strike "AFFAIRS." and substitute  
54 "AFFAIRS UNTIL SUCH TIME AS THE ORDINANCE OR POLICY IS NO LONGER  
55 IN EFFECT.".

56

1 Amendment No. 5, by Representative Pommer.

2

3 Amend reengrossed bill, page 4, after line 3, insert the following:

4

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

10

11 As amended, laid over until April 12, retaining place on Calendar.

12

13 **HB06-1326** by Representative(s) Crane and Riesberg, Liston,  
14 Coleman, Schultheis, Marshall, Butcher, Todd, Balmer,  
15 Benefield, Berens, Borodkin, Boyd, Cadman, Carroll T.,  
16 Clapp, Cloer, Curry, Decker, Frangas, Gardner, Green,  
17 Hall, Harvey, Hefley, Hodge, Hoppe, Jahn, Kerr, King,  
18 Knoedler, Larson, Lindstrom, Lundberg, Massey, May M.,  
19 McCluskey, McFadyen, McGihon, McKinley, Merrifield,  
20 Paccione, Penry, Rose, Soper, Stafford, Stengel, Sullivan,  
21 Vigil, Welker, White, Witwer; also Senator(s) Grossman,  
22 Spence, Brophy, Hanna, Kester, May R., Shaffer, Taylor--  
23 Concerning identity theft.

24

25 Amendment No. 1, Judiciary Report, dated February 23, 2006, and placed  
26 in member's bill file; Report also printed in House Journal, February 24,  
27 page 532.

28

29 Amendment No. 2, Appropriations Report, dated April 6, 2006, and  
30 placed in member's bill file; Report also printed in House Journal, April 6.

31

32 As amended, ordered engrossed and placed on the Calendar for Third  
33 Reading and Final Passage.

34

35 **HB06-1366** by Representative(s) Riesberg and McFadyen--Concerning  
36 the appointment of representatives of regional associations  
37 to the board of directors of the Colorado tourism office.

38

39 Amendment No. 1, by Representative Riesberg.

40

41 Strike the Appropriations Committee Report, dated March 31, 2006, and  
42 substitute the following:

43

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

46

47 "SECTION 1. Article 49.7 of title 24, Colorado Revised Statutes,  
48 is amended BY THE ADDITION OF A NEW SECTION to read:

49

50 **24-49.7-109. Regional representation on board - regional**  
51 **tourism working group - repeal.** (1) THE TOURISM INDUSTRY  
52 ASSOCIATION OF COLORADO SHALL CONVENE A REGIONAL TOURISM  
53 WORKING GROUP AND INVITE REPRESENTATIVES OF INDUSTRIES RELATED  
54 TO TOURISM AND REGIONAL BUSINESS ASSOCIATIONS, MEMBERS OF THE  
55 BOARD, AND OTHER INTERESTED PARTIES TO PARTICIPATE IN THE WORKING  
56 GROUP.

1 (2) (a) THE REGIONAL TOURISM WORKING GROUP SHALL CONSIDER  
2 WHETHER REPRESENTATIVES OF REGIONAL ASSOCIATIONS SHOULD BE  
3 APPOINTED TO THE BOARD AND MAY CONSIDER OTHER PROPOSALS TO  
4 MAXIMIZE THE EFFECTIVE USE OF THE MONEYS IN THE FUND AND TO  
5 COORDINATE EFFORTS TO PROMOTE TOURISM IN COLORADO.

6  
7 (b) THE REGIONAL TOURISM WORKING GROUP SHALL SUBMIT ITS  
8 RECOMMENDATIONS TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES  
9 NO LATER THAN NOVEMBER 15, 2006.

10  
11 (3) THE PARTICIPANTS IN THE REGIONAL TOURISM WORKING GROUP  
12 SHALL SERVE WITHOUT COMPENSATION OR REIMBURSEMENT OF EXPENSES  
13 FROM THE STATE.

14  
15 (4) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2007.

16  
17 **SECTION 2. Safety clause.** The general assembly hereby finds,  
18 determines, and declares that this act is necessary for the immediate  
19 preservation of the public peace, health, and safety."."

20  
21 As amended, declared lost.

22  
23 **HB06-1383** by Representative(s) Jahn; also Senator(s) Owen--  
24 Concerning the regulation of insurers' market conduct by  
25 the commissioner of insurance.

26  
27 Amendment No. 1, Business Affairs and Labor Report, dated April 5,  
28 2006, and placed in member's bill file; Report also printed in House  
29 Journal, April 6, pages 1088-1089.

30  
31 As amended, ordered engrossed and placed on the Calendar for Third  
32 Reading and Final Passage.

33  
34 **SB06-002** by Senator(s) Shaffer; also Representative(s) Pommer--  
35 Concerning mandatory disclosure in connection with the  
36 purchase of residential real property of whether the  
37 property has been used as a methamphetamine laboratory.

38  
39 Amendment No. 1, Business Affairs and Labor Report, dated April 5,  
40 2006, and placed in member's bill file; Report also printed in House  
41 Journal, April 6, page 1089.

42  
43 Amendment No. 2, by Representative Cadman.

44  
45 Amend reengrossed bill, page 2, line 19, strike "OR" and substitute "BUT".

46  
47 Amendment No. 3, by Representative Pommer.

48  
49 Amend reengrossed bill, page 3, line 1, strike "REAL";

50  
51 line 9, strike "SELLER" and substitute "BUYER";

52  
53 line 11, strike "PROVIDES" and substitute "PROVIDED THAT";

54

1 line 12, strike "DAYS." and substitute "DAYS AFTER THE DATE OF  
2 CLOSING."

3

4 Page 4, line 5, strike "REAL";

5

6 line 19, after "HOME;", insert "MOBILE HOME;"

7

8 Amendment No. 4, by Representative Judd.

9

10 Amend reengrossed bill, page 4, line 8, strike "SELLER" and substitute  
11 "PROPERTY WAS";

12

13 line 9, strike "THE PROPERTY".

14

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

17

18 A motion by Representative Madden that the Committee rise, report  
19 progress and beg leave to sit again at 3:30 p.m., was adopted by  
20 unanimous consent. (Special Orders continued on page 1138.)

21

22

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House reconvened.

23

24  
25 The Committee of the Whole reported it had risen, reported progress and  
26 would sit again at 3:30 p.m.

27

28

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## 29 **REPORTS OF COMMITTEES OF REFERENCE**

30

### 31 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

34

35 **SB06-179** be amended as follows, and as so amended, be referred to  
36 the Committee on Appropriations with favorable  
37 recommendation:

38

39 Amend reengrossed bill, page 3, strike line 18 and substitute the  
40 following:

41

42 "PROPOSED WATER DIVERSION OR NONSTRUCTURAL ACTIVITY WOULD  
43 OCCUR. THE BOARD, IN CONSULTATION WITH THE INTERBASIN COMPACT  
44 COMMITTEE CREATED IN SECTION 37-75-105, C.R.S., SHALL JOINTLY  
45 ESTABLISH CRITERIA AND GUIDELINES FOR ALLOCATING MONEYS FROM  
46 THE ACCOUNT. ELIGIBLE WATER ACTIVITIES".

46

47

48

49

### 50 **APPROPRIATIONS**

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

53

54 **HB06-1001** be referred to the Committee of the Whole with favorable  
55 recommendation.

56

1 Amend the House Education Committee Report, dated February 9, 2006,  
2 page 3, after line 27, insert the following:

3  
4 "Page 18, line 13, strike "(1)".

5  
6 Page 19, strike lines 1 through 9;

7  
8 line 19, strike the second "THE" and substitute "SUBJECT TO AVAILABLE  
9 APPROPRIATIONS, THE";

10  
11 line 25, strike "APPROPRIATED TO" and substitute "AVAILABLE IN".

12  
13 Page 20, line 25, strike "APPROPRIATED TO" and substitute "AVAILABLE  
14 IN".

15  
16 Page 21, line 7, strike "APPROPRIATED FROM THE STATE";

17  
18 strike lines 8 and 9 and substitute the following:

19  
20 "CREDITED TO THE FUND PURSUANT TO SUBSECTION (2) OF THIS SECTION.  
21 THE";

22  
23 after line 19, insert the following:

24  
25 "(2) THE DEPARTMENT IS AUTHORIZED TO ACCEPT GIFTS, GRANTS,  
26 OR DONATIONS FROM ANY PUBLIC OR PRIVATE ENTITY TO CARRY OUT THE  
27 PURPOSES OF THIS PART 2, SUBJECT TO THE TERMS AND CONDITIONS  
28 UNDER WHICH GIVEN; EXCEPT THAT THE DEPARTMENT SHALL NOT ACCEPT  
29 A GIFT, GRANT, OR DONATION IF THE CONDITIONS ATTACHED THERETO  
30 REQUIRE THE USE OR EXPENDITURE THEREOF IN A MANNER CONTRARY TO  
31 LAW. THE DEPARTMENT SHALL TRANSMIT TO THE STATE TREASURER ANY  
32 GIFTS, GRANTS, OR DONATIONS RECEIVED PURSUANT TO THIS SUBSECTION  
33 (2), AND THE STATE TREASURER SHALL CREDIT THE SAME TO THE FUND.".

34  
35 Renumber succeeding subsection accordingly.".

36  
37 Page 4 of the committee report, strike lines 2 through 10 and substitute  
38 the following:

39  
40 "**SECTION 9. Appropriation.** (1) In addition to any other  
41 appropriation, there is hereby";

42  
43 strike line 17 of the committee report and substitute the following:

44  
45 "Statutes.

46  
47 (2) In addition to any other appropriation, there is hereby  
48 appropriated, out of any moneys in the educator licensure cash fund  
49 created in section 22-60.5-112 (1), Colorado Revised Statutes, not  
50 otherwise appropriated, to the department of education, for the fiscal year  
51 beginning July 1, 2006, the sum of eleven thousand four hundred sixty  
52 dollars (\$11,460), or so much thereof as may be necessary, for the  
53 implementation of section 22-2-109 (7), Colorado Revised Statutes.".

54  
55  
56

1 **HB06-1070** be postponed indefinitely.

2  
3

4 **HB06-1092** be amended as follows, and as so amended, be referred to  
5 the Committee of the Whole with favorable  
6 recommendation:

7  
8 Amend printed bill, page 3, line 27, strike "**06-\_\_\_\_.**" and substitute "**06-  
9 1092.**".

10

11 Page 4, line 2, strike "06-\_\_\_\_," and substitute "06-1092,";

12

13 line 9, strike "\_\_\_\_\_ DOLLARS (\$ )." and substitute "FOUR HUNDRED  
14 THIRTY-FIVE THOUSAND NINE HUNDRED SEVENTY DOLLARS (\$435,970).";

15

16 strike lines 10 through 14;

17

18 line 15, strike "(II)" and substitute "(b)";

19

20 line 18, strike "\_\_\_\_\_ DOLLARS (\$ )." and substitute "ONE HUNDRED  
21 THIRTY-FOUR THOUSAND SIXTY-FIVE DOLLARS (\$134,065).";

22

23 strike lines 19 through 23;

24

25 line 24, strike "(II)" and substitute "(c)";

26

27 line 27, strike "\_\_\_\_\_ DOLLARS (\$ )." and substitute "ONE HUNDRED  
28 THIRTY-FOUR THOUSAND SIXTY-FIVE DOLLARS (\$134,065).".

29

30 Page 5, strike lines 1 through 5;

31

32 line 6, strike "(II)" and substitute "(d)";

33

34 line 9, strike "\_\_\_\_\_ DOLLARS (\$ )." and substitute "ONE HUNDRED  
35 THIRTY-FOUR THOUSAND SIXTY-FIVE DOLLARS (\$134,065).";

36

37 strike lines 10 through 14;

38

39 line 15, strike "(II)" and substitute "(e)";

40

41 line 18, strike "\_\_\_\_\_ DOLLARS (\$ )." and substitute "ONE HUNDRED  
42 THIRTY-FOUR THOUSAND SIXTY-FIVE DOLLARS (\$134,065).";

43

44 strike lines 19 through 27, and substitute the following:

45

46 "SECTION 7. 24-75-302 (2) (s), Colorado Revised Statutes, is  
47 amended to read:".

48

49 Page 6, strike lines 1 through 5;

50

51 line 6, strike "(s)" and substitute "**24-75-302. Capital construction fund  
52 - capital assessment fees - calculation. (2) (s)**";

53

54 line 22, strike "\_\_\_\_\_ DOLLARS PURSUANT TO H.B. 06-\_\_\_\_," and  
55 substitute "FOUR HUNDRED THIRTY-FIVE THOUSAND NINE HUNDRED  
56 SEVENTY DOLLARS PURSUANT TO H.B. 06-1092,";

1 strike lines 24 through 27.

2

3 Page 7, strike lines 1 through 16.

4

5

6

7 **HB06-1186** be postponed indefinitely.

8

9

10 **HB06-1308** be postponed indefinitely.

11

12

13 **HB06-1336** be amended as follows, and as so amended, be referred to  
14 the Committee of the Whole with favorable  
15 recommendation:

16

17 Amend printed bill, page 24, after line 25, insert the following:

18

19 **"SECTION 9. Appropriation.** (1) In addition to any other  
20 appropriation, there is hereby appropriated, out of any moneys in the  
21 division of registrations cash fund created in section 24-34-105 (2) (b)  
22 (I), Colorado Revised Statutes, not otherwise appropriated, to the  
23 department of regulatory agencies, for allocation to the executive  
24 director's office, for legal services, for the fiscal year beginning July 1,  
25 2006, the sum of one thousand two hundred eighty-nine dollars (\$1,289),  
26 or so much thereof as may be necessary, for the implementation of this  
27 act.

28

29 (2) In addition to any other appropriation, there is hereby  
30 appropriated, out of any moneys in the division of registrations cash fund  
31 created in section 24-34-105 (2) (b) (I), Colorado Revised Statutes, not  
32 otherwise appropriated, to the department of regulatory agencies, for  
33 allocation to the division of registrations, for regulation of athlete agents,  
34 for the fiscal year beginning July 1, 2006, the sum of forty-three thousand  
35 three hundred ninety-seven dollars (\$43,397) and 0.5 FTE, or so much  
36 thereof as may be necessary, for the implementation of this act.

37

38 (3) In addition to any other appropriation, there is hereby  
39 appropriated to the department of law, for the fiscal year beginning July  
40 1, 2006, the sum of one thousand two hundred eighty-nine dollars  
41 (\$1,289), or so much thereof as may be necessary, for the provision of  
42 legal services to the department of regulatory agencies related to the  
43 implementation of this act. Said sum shall be from cash funds exempt  
44 received from the department of regulatory agencies, out of the  
45 appropriation made in subsection (1) of this section."

46

47 Renumber succeeding sections accordingly.

48

49 Page 1, line 104, strike "AGENTS." and substitute "AGENTS, AND MAKING  
50 AN APPROPRIATION."

51

52

53

54 **HB06-1365** be amended as follows, and as so amended, be referred to  
55 the Committee of the Whole with favorable  
56 recommendation:



1 Amend printed bill, page 6, after line 20, insert the following:

2

3       **"SECTION 5. No appropriation.** The general assembly has  
4 determined that this act can be implemented within existing  
5 appropriations, and therefore no separate appropriation of state moneys  
6 is necessary to carry out the purposes of this act."

7

8 Renumber succeeding section accordingly.

9

10

11

12

13 **BUSINESS AFFAIRS & LABOR**

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

16

17 **HB06-1387** be amended as follows, and as so amended, be referred to  
18 the Committee of the Whole with favorable  
19 recommendation:

20

21 Amend printed bill, page 21, line 15, before "GRANTORS", insert  
22 "ORIGINAL".

23

24 Page 26, line 18, before "GRANTOR", insert "ORIGINAL".

25

26 Page 27, line 5, before "GRANTOR", insert "ORIGINAL".

27

28 Page 55, line 22, strike "EFFECT." and substitute "EFFECT, AND THE PUBLIC  
29 TRUSTEE SHALL MAIL TO ALL PERSONS ON THE MAILING LIST A NOTICE  
30 THAT THE WITHDRAWAL OF THE NOTICE OF ELECTION AND DEMAND  
31 OCCURRED DURING THE PENDENCY OF AN INJUNCTION OR BANKRUPTCY  
32 STAY AND IS VOID AND OF NO FORCE AND EFFECT. THE PUBLIC TRUSTEE  
33 SHALL CAUSE THE NOTICE TO BE RECORDED IN THE OFFICE OF THE COUNTY  
34 CLERK AND RECORDER OF THE COUNTY WHERE THE PROPERTY DESCRIBED  
35 IN THE NOTICE IS LOCATED."

36

37 Page 56, line 16, before "GRANTOR", insert "ORIGINAL".

38

39 Page 57, line 26, after "FIRST", insert "TO THE HOLDER OF THE EVIDENCE  
40 OF DEBT TO THE EXTENT OF ANY DEFICIENCY AS INDICATED IN THE  
41 HOLDER'S BID, AND SECOND".

42

43 Page 58, line 12, strike "SECOND, EXCESS PROCEEDS SHALL BE PAID TO";

44

45 strike lines 13 and 14;

46

47 line 15, strike "(2).".

48

49 Page 61, line 11, after "INSTRUMENTS", insert "THAT WERE";

50

51 line 13, after "LOCATED", insert "PRIOR TO THE RECORDING OF THE NOTICE  
52 OF ELECTION AND DEMAND OR LIS PENDENS".

53

54

55

56

1 **HEALTH & HUMAN SERVICES**

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

4  
5 **HB06-1389** be amended as follows, and as so amended, be referred to  
6 the Committee of the Whole with favorable  
7 recommendation:

8  
9 Amend printed bill, page 6, line 17, strike "SUBPARAGRAPH (III) OF";  
10  
11 line 18, strike "(9)" and substitute "(9.5)".  
12  
13  
14

15 **HB06-1396** be amended as follows, and as so amended, be referred to  
16 the Committee on Appropriations with favorable  
17 recommendation:

18  
19 Amend printed bill, page 4, line 3, after the period, add "NONE OF THE  
20 GRANTS SHALL BE AWARDED TO PROVIDE NEW OR ADDITIONAL  
21 REPRODUCTIVE SERVICES BY SCHOOL-BASED HEALTH CENTERS."  
22  
23  
24

25 **SB06-208** be amended as follows, and as so amended, be referred to  
26 the Committee on Appropriations with favorable  
27 recommendation:

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

31  
32 **"SECTION 1. Legislative declaration.** (1) The general  
33 assembly finds and declares that:

34  
35 (a) Health care is the largest single industry in the United States,  
36 comprising multiple public and private interests, and these interests often  
37 have competing goals and values;

38  
39 (b) Americans currently spend exorbitant amounts on health care,  
40 and our complex health care system diverts too many dollars away from  
41 cost-effective, evidence-based health care costs;

42  
43 (c) Solutions to problems with the health care system will require  
44 a balancing of many private and public interests;

45  
46 (d) The existing models for comprehensive health care reform  
47 tend to be polarized between the ideological extremes of wholly  
48 unregulated markets, on the one hand, and intrusive government control,  
49 on the other;

50  
51 (e) Previous discussions of health care reform have not  
52 sufficiently involved the citizens who pay for and are dependent on the  
53 health care system itself; and  
54  
55

1 (f) Health care policy dialogues too often do not include enough  
2 community and business leaders and do not adequately consider the  
3 political process essential to bringing about the systemic reforms needed  
4 to lower and contain costs.

5  
6 (2) It is therefore the intent of the general assembly to establish a  
7 blue ribbon commission for comprehensive state health care reform,  
8 which shall provide to the general assembly specific recommendations  
9 regarding improving the health care system that shall be considered by the  
10 general assembly.

11  
12 **SECTION 2.** Part 1 of article 16 of title 10, Colorado Revised  
13 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
14 read:

15  
16 **10-16-131. Health care reform project - blue ribbon**  
17 **commission for health care reform - repeal.** (1) THIS SECTION SHALL  
18 BE KNOWN AND SHALL BE CITED AS "THE ACCESS TO AFFORDABLE  
19 HEALTH CARE ACT".

20  
21 (2) THERE IS HEREBY ESTABLISHED THE BLUE RIBBON COMMISSION  
22 FOR HEALTH CARE REFORM, HEREINAFTER REFERRED TO AS THE  
23 COMMISSION, FOR THE PURPOSE OF STUDYING AND ESTABLISHING HEALTH  
24 CARE REFORM MODELS TO EXPAND HEALTH CARE COVERAGE AND TO  
25 DECREASE HEALTH CARE COSTS FOR COLORADO RESIDENTS. THE  
26 COMMISSION SHALL BE AUTHORIZED TO EXAMINE OPTIONS FOR EXPANDING  
27 AFFORDABLE HEALTH COVERAGE FOR ALL COLORADO RESIDENTS IN BOTH  
28 THE PUBLIC AND PRIVATE SECTOR MARKETS, WITH SPECIAL ATTENTION  
29 GIVEN TO THE UNINSURED, UNDERINSURED, AND THOSE AT RISK OF  
30 FINANCIAL HARDSHIP DUE TO MEDICAL EXPENSES. THE COMMISSION  
31 SHALL HAVE THE AUTHORITY TO ESTABLISH SPECIAL PURPOSE  
32 SUBCOMMITTEES WITH NONVOTING MEMBERS TO EVALUATE AND  
33 CONSIDER HEALTH CARE ISSUES AS IT DEEMS NECESSARY TO FULFILL ITS  
34 GOALS AND OBJECTIVES, INCLUDING ISSUES OF ACCESS, COST, VALUE, AND  
35 PERSONAL HEALTH RESPONSIBILITY, AND MAY ESTABLISH BYLAWS,  
36 POLICIES, AND PROCEDURES NECESSARY TO MEET ITS OBJECTIVES.

37  
38 (3) (a) THE COMMISSION SHALL CONSIST OF TWENTY-FOUR  
39 MEMBERS AS FOLLOWS:

40  
41 (I) EIGHT MEMBERS WHO REPRESENT CONSUMERS. CONSUMER  
42 REPRESENTATIVES SHALL INCLUDE PERSONS WITH SIGNIFICANT HEALTH  
43 CARE RISKS, PERSONS WITH HIGH INSURANCE PREMIUMS, PERSONS WHO  
44 ARE UNINSURED AND UNDERINSURED, RESIDENTS OF RURAL AREAS,  
45 MEMBERS OF RACIAL AND ETHNIC MINORITY GROUPS, SENIOR CITIZENS,  
46 PERSONS FROM FAITH COMMUNITIES, DISABLED PERSONS INVOLVED IN  
47 HEALTH CARE ISSUES, REPRESENTATIVES OF THE MENTAL HEALTH  
48 COMMUNITY, AND PERSONS WHO USE OR MAY USE TELEHEALTH OR  
49 REMOTE HOME MONITORING SYSTEMS.

50  
51 (II) EIGHT MEMBERS WHO REPRESENT HEALTH INSURANCE  
52 PURCHASERS. HEALTH INSURANCE PURCHASERS SHALL INCLUDE  
53 PURCHASERS OF INDIVIDUAL AND GROUP HEALTH INSURANCE, MEMBERS  
54 OF LARGE AND SMALL EMPLOYER HEALTH COALITIONS, AND RURAL AND  
55 URBAN CHAMBERS OF COMMERCE. A REPRESENTATIVE OF PURCHASERS  
56 SHALL NOT BE A HEALTH CARE PROVIDER.

1 (III) EIGHT MEMBERS WHO REPRESENT EXPERTS AND BUSINESS  
2 LEADERS. EXPERTS AND BUSINESS LEADERS SHALL INCLUDE EXPERTS IN  
3 THE FIELD OF HEALTH CARE AND HEALTH INSURANCE, INCLUDING LOCAL  
4 GOVERNMENT AND STATE GOVERNMENT OFFICIALS AND NONPROFIT  
5 ORGANIZATIONS; EXPERTS IN THE FIELD OF DEVELOPMENTAL DISABILITIES;  
6 HEALTH CARE PROVIDERS, INCLUDING PHYSICIANS, NURSES, MENTAL  
7 HEALTH PROFESSIONALS, DRUG AND ALCOHOL ABUSE COUNSELORS, AND  
8 HOSPITALS; AND MEMBERS OF THE INSURANCE INDUSTRY.

9  
10 (b) THE COMMISSION SHALL BE APPOINTED AS FOLLOWS:

11  
12 (I) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE  
13 PRESIDENT OF THE SENATE, AND THE GOVERNOR SHALL EACH APPOINT  
14 TWO MEMBERS WHO REPRESENT CONSUMERS, TWO MEMBERS WHO  
15 REPRESENT HEALTH INSURANCE PURCHASERS, AND TWO MEMBERS WHO  
16 REPRESENT EXPERTS AND BUSINESS LEADERS.

17  
18 (II) THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES  
19 AND THE MINORITY LEADER OF THE SENATE SHALL EACH APPOINT ONE  
20 MEMBER WHO REPRESENTS CONSUMERS, ONE MEMBER WHO REPRESENTS  
21 HEALTH INSURANCE PURCHASERS, AND ONE MEMBER WHO REPRESENTS  
22 EXPERTS AND BUSINESS LEADERS.

23  
24 (c) IF THERE IS A VACANCY ON THE COMMISSION FOR ANY REASON,  
25 A NEW MEMBER SHALL BE APPOINTED BY THE ORIGINAL APPOINTING  
26 AUTHORITY FROM THE APPROPRIATE REPRESENTATIVE GROUP. IF THE  
27 APPOINTING AUTHORITY FAILS TO MAKE ANY REQUIRED APPOINTMENTS  
28 WITHIN THIRTY DAYS AFTER THE VACANCY, THE SPEAKER OF THE HOUSE  
29 OF REPRESENTATIVES SHALL APPOINT THE NEW MEMBER OR MEMBERS.

30  
31 (d) THE COMMISSION SHALL:

32  
33 (I) WITH TECHNICAL ASSISTANCE AND GUIDANCE FROM THE  
34 PROJECT ADMINISTRATOR, WORK IN A NONPARTISAN MANNER TO EXAMINE  
35 HEALTH CARE COVERAGE AND REFORM MODELS DESIGNED TO ENSURE  
36 ACCESS TO AFFORDABLE COVERAGE FOR ALL COLORADO RESIDENTS, AND  
37 SELECT FROM THREE TO FIVE SPECIFIC HEALTH CARE COVERAGE REFORM  
38 PROPOSALS TO MEET THE NEEDS OF THE RESIDENTS OF COLORADO;

39  
40 (II) MEET AS NECESSARY TO OVERSEE THE PROCESS OF SOLICITING  
41 REFORM CONCEPT PAPERS AND DETAILED PROPOSALS FROM INTERESTED  
42 PARTIES;

43  
44 (III) SELECT THE TOP PROPOSALS FOR DETAILED TECHNICAL  
45 ANALYSIS BY AN INDEPENDENT CONSULTANT;

46  
47 (IV) HOLD STATEWIDE INFORMATIONAL MEETINGS AT LEAST ONCE  
48 IN EACH CONGRESSIONAL DISTRICT FOR THE PURPOSE OF RECEIVING PUBLIC  
49 COMMENTS; AND

50  
51  
52 (V) PRESENT A FINAL REPORT TO THE GENERAL ASSEMBLY ON OR  
53 BEFORE NOVEMBER 30, 2007, INCLUDING AN UNBIASED ECONOMIC  
54 ANALYSIS, FEASIBILITY, AND TECHNICAL ASSESSMENT OF THE FAVORABLE  
55 AND UNFAVORABLE CONSIDERATIONS AND OF THE VARIOUS REFORM  
56 OPTIONS, AND SPECIFIC RECOMMENDATIONS, THAT SHALL BE CONSIDERED

1 BY THE HEALTH AND HUMAN SERVICES COMMITTEES OF THE HOUSE OF  
2 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.

3  
4 (4) (a) THE COMMISSION SHALL BE ADMINISTERED BY A  
5 NONPARTISAN PROJECT ADMINISTRATOR. THE PROJECT ADMINISTRATOR  
6 SHALL BE APPOINTED JOINTLY BY THE SPEAKER OF THE HOUSE OF  
7 REPRESENTATIVES AND THE PRESIDENT OF THE SENATE FOR THE PURPOSE  
8 OF MANAGING THE WORK OF THE COMMISSION. THE PROJECT  
9 ADMINISTRATOR SHALL BE A COLORADO-BASED, NONPARTISAN  
10 INDIVIDUAL OR ORGANIZATION WITH EXPERTISE IN HEALTH CARE POLICY,  
11 DATA COLLECTION AND ANALYSIS, REPORT GENERATION, ORGANIZING  
12 PUBLIC MEETINGS, AND MANAGING PROJECT BUDGETS AND PROCESSES.  
13 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF  
14 THE SENATE SHALL APPOINT A PROJECT COORDINATOR WHO SHALL BE  
15 RESPONSIBLE FOR THE COORDINATION AND DELIVERY OF THE FINAL  
16 REPORT PRESENTED TO THE GENERAL ASSEMBLY PURSUANT TO  
17 SUBPARAGRAPH (V) OF PARAGRAPH (d) OF SUBSECTION (3) OF THIS  
18 SECTION; COORDINATION OF PROJECT OBJECTIVES, TIMELINES, AND  
19 REGULAR LIAISON ACTIVITIES BETWEEN THE PROJECT ADMINISTRATOR,  
20 THE GENERAL ASSEMBLY, AND INTERESTED PERSONS; AND FOR PROVIDING  
21 INFORMATION TO THE GENERAL PUBLIC REGARDING THE HEALTH CARE  
22 REFORM EFFORTS OUTLINED IN THIS SECTION.

23  
24 (b) THE PROJECT ADMINISTRATOR SHALL ORGANIZE A PROCESS TO  
25 IDENTIFY INSURANCE REFORM PROPOSALS GENERATED APPLICABLE TO  
26 COLORADO FROM INTERESTED PARTIES. THE PROCESS SHALL INCLUDE,  
27 BUT NOT BE LIMITED TO, THE FOLLOWING:

28  
29 (I) THE PROJECT ADMINISTRATOR SHALL INVITE INTERESTED  
30 INDIVIDUALS OR ORGANIZATIONS TO SUBMIT PROPOSALS ACCORDING TO  
31 CONTENT CRITERIA DEVELOPED BY THE PROJECT ADMINISTRATOR THAT  
32 DESCRIBE METHODS FOR EXPANDING HEALTH CARE COVERAGE AND  
33 RELATED REFORM CONCEPTS.

34  
35 (II) THE PROJECT ADMINISTRATOR SHALL SUBMIT ACCEPTABLE  
36 PROPOSALS AS DETERMINED BY THE ADMINISTRATOR TO THE COMMISSION  
37 FOR DISCUSSION AND THE ULTIMATE SELECTION OF THREE TO FIVE  
38 FAVORABLE PROPOSALS.

39  
40 (III) THE COMMISSION SHALL SUBMIT FROM THREE TO FIVE OF THE  
41 PROPOSALS DEEMED MOST FAVORED BY THE COMMISSION TO AN  
42 INDEPENDENT CONSULTING FIRM SELECTED BY THE COMMISSION FOR  
43 TECHNICAL COMPARATIVE ANALYSIS OF COST IMPACTS, UTILIZATION,  
44 DESIGN, AND OTHER AREAS.

45  
46 (IV) ON OR BEFORE NOVEMBER 30, 2007, THE COMMISSION SHALL  
47 PRESENT THE FINAL REPORT REQUIRED PURSUANT TO SUBPARAGRAPH (V)  
48 OF PARAGRAPH (d) OF SUBSECTION (3) OF THIS SECTION TO THE GENERAL  
49 ASSEMBLY, WHICH SHALL INCLUDE SUMMARIES OF THE PROPOSALS AND  
50 THE RESULTS OF THE TECHNICAL ANALYSIS.

51  
52 (5) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE  
53 HEALTH CARE REFORM CASH FUND. THE FUND SHALL CONSIST OF MONEYS  
54 APPROPRIATED OR TRANSFERRED BY THE GENERAL ASSEMBLY TO THE  
55 FUND AND GIFTS, GRANTS, AND DONATIONS FROM DONORS WHO SHALL  
56 REMAIN ANONYMOUS TO THE PROJECT ADMINISTRATOR AND THE MEMBERS

1 OF THE COMMISSION. THE MONEYS IN THE HEALTH CARE REFORM CASH  
2 FUND AND ALL INTEREST EARNED ON MONEYS IN THE FUND SHALL NOT BE  
3 CREDITED OR TRANSFERRED TO THE GENERAL FUND AT THE END OF ANY  
4 FISCAL YEAR.

5  
6 (b) ON JULY 1, 2006, FIFTY THOUSAND DOLLARS FROM THE  
7 GENERAL FUND SHALL BE TRANSFERRED TO AND SHALL BECOME PART OF  
8 THE HEALTH CARE REFORM CASH FUND. AFTER THE COMMISSION HAS  
9 CERTIFIED TO THE STATE CONTROLLER THAT THE COMMISSION HAS  
10 RECEIVED AT LEAST THREE HUNDRED THOUSAND DOLLARS FROM GIFTS,  
11 GRANTS, AND DONATIONS FOR THE PURPOSE OF CARRYING OUT THE  
12 PROVISIONS OF THIS SECTION, AN ADDITIONAL TWO HUNDRED FIFTY  
13 THOUSAND DOLLARS SHALL BE TRANSFERRED FROM THE GENERAL FUND  
14 TO THE HEALTH CARE REFORM CASH FUND.

15  
16 (c) THE MONEY IN THE HEALTH CARE REFORM CASH FUND SHALL  
17 BE USED FOR THE DEVELOPMENT OF THE THREE TO FIVE PROPOSALS; FOR  
18 TECHNICAL COSTS AND A FEASIBILITY STUDY; TO FUND THE PROJECT  
19 ADMINISTRATOR AND PROJECT COORDINATOR POSITIONS; TO COVER COSTS  
20 OF STATEWIDE HEARINGS; TO PAY THE MEMBERS OF THE COMMISSION  
21 REASONABLE AND NECESSARY EXPENSES, INCLUDING A PER DIEM AMOUNT  
22 SET BY THE COMMISSION NOT TO EXCEED ONE HUNDRED DOLLARS PER  
23 MEETING, TRAVEL EXPENSES, AND OUT-OF-POCKET EXPENSES RELATED TO  
24 THE DUTIES OF THE MEMBER; AND FOR ANY OTHER EXPENSES NECESSARY  
25 TO CARRY OUT THE PROVISIONS OF THIS SECTION.

26  
27 (6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2010.

28  
29 **SECTION 3. Safety clause.** The general assembly hereby finds,  
30 determines, and declares that this act is necessary for the immediate  
31 preservation of the public peace, health, and safety."

32  
33 Amend reengrossed bill, page 1, line 103, strike "AN APPROPRIATION"  
34 and substitute "TRANSFERS OF FUNDS".

35  
36  
37  
38 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

39  
40 The Speaker has signed: **HB06-1051, 1095, 1119, 1244, 1256, 1268,**  
41 **1269, 1287, 1309, 1357; SJR06-018, 021.**

42  
43  
44  
45 **MESSAGE FROM THE SENATE**

46  
47 The Senate voted to concur in House amendments to SB06-187, and  
48 repassed the bill as amended.

49  
50 In response to a request from the House for a Conference Committee on  
51 HB06-1385, the President appointed Senators Tapia, Chair, Keller and  
52 Owen as members of the First Conference Committee on HB06-1385.

53  
54 The Senate granted permission to members of the First Conference  
55 Committee on HB06-1385 to consider matters not at issue between the  
56 two houses.

1 In response to a request from the House for a Conference Committee on  
2 HB06-1209, the President appointed Senators Tupa, Chair, Shaffer and  
3 Mitchell as members of the First Conference Committee on HB06-1209.

4  
5 Pursuant to the request of the House, HB06-1354 is returned herewith.

6

7

8

House in recess. House reconvened.

9

10

11

## REPORT FROM THE ETHICS COMMITTEE

12

13 IN RE COMPLAINT OF WILLIAM C. CISNEY, JODY MORRIS, FELICE SAGE,  
14 DIANE STEEN, AND TODD SODERBERG

15

16 To the Speaker of the House of Representatives:

17

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In claiming per diem compensation during the 2005 legislative interim, under section 2-2-307 (3) (a) (III), C.R.S., Representative Stengel, by his own admission, exercised poor judgment. In addition, we believe he proceeded to claim per diem compensation without regard for the consequences of his actions. Although Leadership is allowed considerable discretion in deciding whether to claim per diem compensation, the number of days for which Representative Stengel claimed per diem was excessive and significantly more than claimed by members of Leadership during the same interim or than historically claimed by members of Leadership during previous interims. Legal justification of what constitutes a day's work is not defined in the statute, therefore, a member of the General Assembly must call upon his or her integrity and ethics in making a determination whether to claim per diem compensation. However, in common practice, one phone call in a day does not constitute a day's work.

1 Representative Stengel admitted using "poor judgment" in  
2 claiming per diem compensation for time spent in Hawaii and taking the  
3 bar examination. He has, rightly so, returned the per diem compensation  
4 he received for those days. The Ethics Committee believed that this was  
5 a tacit admission of wrongdoing and a possible ethics violation. Since,  
6 however, claiming per diem compensation on these days is not clearly  
7 prohibited by section 2-2-307 (3) (a) (III), C.R.S., or any other provision  
8 of law or legislative rule, the Committee did not find that Representative  
9 Stengel committed an ethics violation by claiming per diem compensation  
10 for those days.

11  
12 Representative Stengel admitted receiving per diem payments on  
13 days spent campaigning for a gubernatorial candidate and against  
14 referenda C and D. Nonetheless, the Ethics Committee does not believe  
15 that, if a member performs work entitling the member to per diem  
16 compensation, the receipt of per diem payment precludes the member  
17 from performing other tasks on the same day, including campaigning.  
18 However, the Committee noted the troubling and inappropriate  
19 incongruity between Representative Stengel's filing of a formal complaint  
20 with the Secretary of State against another Representative for allegedly  
21 campaigning for referenda C and D while on tour with the Capital  
22 Development Committee and his own admission of acceptance of per  
23 diem compensation under substantially similar circumstances.  
24 Representative Stengel's claim for per diem compensation for days he  
25 spent campaigning against referenda C and D raised the issue of whether  
26 his actions were hypocritical and called into question the possibility of a  
27 statutory violation as alleged in the Complaint. However, because the  
28 Committee believed it was not within the Committee's authority to make  
29 determinations regarding statutory violations, no decision was reached on  
30 this matter.

31  
32 The number of days for which Representative Stengel claimed per  
33 diem compensation is unprecedented and probably excessive. However,  
34 the Complaint alleged that Representative Stengel "billed taxpayers for  
35 days he did not work." The Ethics Committee concluded that there was  
36 no evidence to substantiate that allegation.

37  
38 Members of the General Assembly look to Leadership to set a  
39 positive, ethical example. They accomplish this through their actions and  
40 their duties, which present the General Assembly in a positive way that  
41 maintains public confidence in the institution. Despite Representative  
42 Stengel's return of per diem compensation, along with his apology, we  
43 believe that Representative Stengel's actions discredited the reputation of  
44 the General Assembly. Representative Stengel's actions should not set a  
45 precedent for any member of the General Assembly, especially  
46 Leadership.

47  
48 The Ethics Committee believes that the General Assembly should  
49 reexamine the interim per diem provisions of section 2-2-307 (3) (a) (III),  
50 C.R.S., and any other relevant statutes and legislative rules to determine  
51 whether modifications should be made to avoid similar situations in the  
52 future. Additionally, we urge the Leadership of the House of  
53 Representatives to continue examining possible changes to the process of  
54 an ethics investigation contained in House Rule 49.

55



1 The issue considered by the Ethics Committee was limited to  
2 whether Representative Stengel "billed the taxpayers for days he did not  
3 work." Based upon the evidence obtained, and because further evidence  
4 would not likely establish otherwise, pursuant to House Rule 49, the  
5 Committee voted 3 - 2 to dismiss the Complaint.

6  
7 Respectfully submitted,  
8 (signed)  
9 Paul Weissmann, Chair  
10 Lynn Hefley, Vice-Chair  
11 Kathleen Curry  
12 Diane Hoppe  
13 Rosemary Marshall

---

### 17 DELIVERY OF BILLS TO GOVERNOR

18  
19 The Chief Clerk of the House of Representatives reports the following  
20 bills have been delivered to the Office of the Governor: **HB06-1109,**  
21 **1120, 1212, 1249, 1260, 1267, 1271, 1285, 1299, 1318, 1356, 1377** at  
22 2:15 p.m., on April 11, 2006.

---

### 26 MESSAGE FROM THE GOVERNOR

27  
28 I certify I received the following on the 11th day of April, 2006, at  
29 11:30 a.m. The original is on file in the records of the House of  
30 Representatives of the General Assembly.

31  
32 Marilyn Eddins,  
33 Chief Clerk of the House

34 April 11, 2006

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

41  
42 Ladies and Gentlemen:

43  
44 I am returning to the House of Representatives House Bill 06-1010,  
45 "Concerning State Participation in Government Procurement Rules of an  
46 International Trade Agreement." I vetoed this bill as of 9:17 a.m. today and this  
47 letter sets forth my reasons for doing so.

48  
49 House Bill 1010 would prohibit state officials, including the Governor, from  
50 binding the state to the government procurement rules of international trade  
51 agreements unless specifically authorized by the General Assembly. This bill  
52 also declares that any prior consent the state has given on procurement rules of  
53 existing trade agreements is invalid and nonbinding.

54  
55 Procurement agreements are based on reciprocity. If Colorado does not  
56 participate in federal procurement, companies from our state may not be able

1 to bid on federal contract opportunities available in other participating  
2 countries. This will likely result in Colorado taxpayers having to pay more for  
3 products and services since this legislation would discourage or eliminate  
4 foreign bidders from this process.

5  
6 The April 1, 2006 Denver Post noted similar objections stating, "The bill is a  
7 bad idea. Free trade is a two-way street and lots of Colorado companies and  
8 Colorado workers depend on international trade for their profits and their  
9 livelihoods." And as the Rocky Mountain News recently questioned, in the  
10 strongest possible terms, "What kind of stone-age economic ignorance would  
11 seek to provoke a trade war that uniquely punishes Colorado?"

12  
13 In addition, when the U.S. Trade Representative requests state participation in  
14 sub-federal procurement, the deadlines for responding are typically short, often  
15 lasting no more than one month. Not responding in time would keep Colorado  
16 companies from taking part in sub-federal procurement in future trade  
17 agreements. Providing a reply within a short time frame could be difficult  
18 during the period that the General Assembly is out of session.

19  
20 House Bill 1010 would severely hamper Colorado's relevance in the global  
21 economy.

22  
23 Accordingly, I have vetoed this bill.

24  
25 Sincerely,  
26 (signed)  
27 Bill Owens

28  
29  
30  
31 On motion of Representative Hodge, the House resolved itself into  
32 Committee of the Whole for continuation of consideration of Special  
33 Orders, and she returned to the Chair to act as Chairman.

34  
35  
36 **SPECIAL ORDERS--SECOND READING OF BILLS**  
37 (Continued from page 1125)

38  
39 **SB06-120** by Senator(s) Dyer; also Representative(s) Hefley--  
40 Concerning the requirement of a full investigation prior to  
41 the amendment of licenses issued by state agencies.

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

45  
46 **SB06-024** by Senator(s) Spence; also Representative(s) Paccione--  
47 Concerning student data from the elementary to secondary  
48 education system through the postsecondary education  
49 system.

50  
51 Ordered revised and placed on the Calendar for Third Reading and Final  
52 Passage.

53  
54 **SB06-144** by Senator(s) Tupa, Bacon, Tapia, Williams, Windels; also  
55 Representative(s) Plant, Benefield, Buescher, Cerbo,  
56 Decker, Gallegos, Madden, Massey, McFadyen,

1                   McKinley, Merrifield, Pommer, Solano, Todd,  
2                   Weissmann, White--Concerning health insurance benefits  
3                   for instructors at institutions of higher education.  
4

5 Ordered revised and placed on the Calendar for Third Reading and Final  
6 Passage.  
7

8 **SB06-197**     by Senator(s) Isgar; also Representative(s) Curry--  
9                   Concerning an extension of the period during which the  
10                  voluntary contribution designation benefiting the nongame  
11                  and endangered wildlife cash fund shall appear on the state  
12                  individual income tax return forms.  
13

14 Ordered revised and placed on the Calendar for Third Reading and Final  
15 Passage.  
16

17 **SB06-202**     by Senator(s) Traylor; also Representative(s) Vigil--  
18                   Concerning the collection by the state of debts due to a  
19                   governmental entity.  
20

21 Ordered revised and placed on the Calendar for Third Reading and Final  
22 Passage.  
23

24 **SB06-035**     by Senator(s) Hagedorn; also Representative(s) McGihon--  
25                   Concerning the creation of a program to provide premium  
26                   subsidies to certain individuals enrolled in a qualifying  
27                   health benefit plan, and, in connection therewith, referring  
28                   study of creation of the program to the health care task  
29                   force.  
30

31 Ordered revised and placed on the Calendar for Third Reading and Final  
32 Passage.  
33

34 **SB06-201**     by Senator(s) Veiga; also Representative(s) Benefield--  
35                   Concerning an extension of the period during which the  
36                   voluntary contribution designation benefiting the Colorado  
37                   domestic abuse program fund shall appear on the state  
38                   individual income tax return forms.  
39

40 Amendment No. 1, Finance Report, dated April 6, 2006, and placed in  
41 member's bill file; Report also printed in House Journal, April 7, page  
42 1097.  
43

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

47 **HB06-1166**     by Representative(s) Judd; also Senator(s) Grossman--  
48                   Concerning the interception of the payment of gambling  
49                   winnings to satisfy certain obligations of the winner.  
50

51 Amendment No. 1, Health and Human Services Report, dated February  
52 20, 2006, and placed in member's bill file; Report also printed in House  
53 Journal, February 22, page 453.  
54  
55

1 Amendment No. 2, Appropriations Report, dated April 10, 2006, and  
2 placed in member's bill file; Report also printed in House Journal, April  
3 10, pages 1113-1114.

4  
5 Amendment No. 3, by Representative Kerr J.

6  
7 Amend printed bill, page 9, after line 15, insert the following:

8  
9       "(4) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE  
10 SHALL PROMULGATE A RULE IN ACCORDANCE WITH ARTICLE 4 OF THIS  
11 TITLE ALLOWING A LICENSEE TO RETAIN A PORTION OF A WINDFALL  
12 PAYMENT WITHHELD PURSUANT TO THIS PART 6 TO COVER THE LICENSEE'S  
13 COSTS OF COMPLIANCE WITH THIS PART 6, WHICH AMOUNT SHALL BE  
14 ADDED TO THE DEBTOR'S OUTSTANDING DEBT."

15  
16 As amended, ordered engrossed and placed on the Calendar for Third  
17 Reading and Final Passage.

18  
19 **HB06-1171** by Representative(s) Riesberg; also Senator(s) Groff--  
20 Concerning alcohol- and drug-related driving offenses.

21  
22 Amendment No. 1, Judiciary Report, dated February 7, 2006, and placed  
23 in member's bill file; Report also printed in House Journal, February 8,  
24 pages 257-259.

25  
26 Amendment No. 2, Appropriations Report, dated April 6, 2006, and  
27 placed in member's bill file; Report also printed in House Journal, April 6.

28  
29 Amendment No. 3, by Representative Riesberg.

30  
31 Amend printed bill, page 2, strike lines 2 through 19.

32  
33 Renumber succeeding sections accordingly.

34  
35 Page 5, line 16, strike "(7) (a) (III) (B) and";

36  
37 line 17, strike "are" and substitute "is"

38  
39 strike lines 20 through 25 and substitute the following:

40  
41 "(7) **Penalties.** (d) In addition to the penalties prescribed in this  
42 subsection (7):".

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

46  
47 On motion of Representative Madden, the remainder of the Special  
48 Orders Calendar (**HB06-1280, SB06-090 amended, HB06-1314, 1058**)  
49 was laid over until April 12, retaining place on Calendar.

50  
51  
52  
53  
54  
55

---

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

2  
3 Passed Second Reading: **HB06-1326 amended, 1383 amended,**  
4 **SB06-002 amended, 120, 024, 144, 197, 202, 035, 201 amended,**  
5 **HB06-1166 amended, 1171 amended.**

6  
7 Lost on Second Reading: **HB06-1366 amended.**

8  
9 Laid over until date indicated retaining place on Calendar: **HB06-1280,**  
10 **SB06-090 amended, HB06-1314, 1058--April 12, 2006.**

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

YES	54	NO	03	EXCUSED	08	ABSENT	00
Balmer	Y	Frangas	Y	Larson	Y	Pommer	E
Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
Berens	Y	Garcia	E	Liston	Y	Riesberg	Y
Borodkin	Y	Gardner	E	Lundberg	Y	Rose	N
Buescher	E	Green	Y	Madden	Y	Schultheis	Y
Butcher	E	Hall	Y	Marshall	Y	Solano	Y
Cadman	N	Harvey	Y	Massey	Y	Soper	Y
Carroll M	Y	Hefley	Y	May	Y	Stafford	Y
Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
Cerbo	Y	Hoppe	N	McFadyen	Y	Sullivan	Y
Clapp	Y	Jahn	Y	McGihon	Y	Todd	Y
Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
Coleman	E	Kerr A	Y	Merrifield	E	Weissmann	Y
Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
Curry	Y	King	Y	Penry	Y	White	Y
Decker	Y	Knoedler	Y	Plant	E	Witwer	Y
						Speaker	Y

36  
37       **REPORTS OF COMMITTEES OF REFERENCE**

38  
39       **APPROPRIATIONS**

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

42  
43 **HB06-1158** be amended as follows, and as so amended, be referred to  
44 the Committee of the Whole with favorable  
45 recommendation:

46  
47 Amend the Education Committee Report, dated February 7, 2006, page  
48 2, line 10, strike "AND"." and substitute "AND";"

49  
50 after line 10, insert the following:

51 "line 15, strike "~~of two hundred dollars for such~~" and substitute "~~of~~ NOT  
52 TO EXCEED two hundred dollars for such";

53  
54 line 16, strike "~~inspection, except that~~" and substitute "~~inspection. except~~  
55 ~~that~~ THE DIVISION SHALL CHARGE A FEE FOR PLAN REVIEW AND ISSUANCE  
56 OF A CONSTRUCTION PERMIT";

1 line 18, strike "DIVISION IN CONDUCTING THE INSPECTION." and substitute  
2 "DIVISION."."

3

4 Page 4 of the committee report, after line 9, insert the following:  
5 "line 20, after "FEE", insert "NOT TO EXCEED TWO HUNDRED DOLLARS FOR  
6 SUCH INSPECTION. THE DIVISION SHALL CHARGE A FEE FOR PLAN REVIEW  
7 AND ISSUANCE OF A CONSTRUCTION PERMIT";

8

9 line 22, strike "DIVISION IN CONDUCTING" and substitute "DIVISION."";

10

11 strike line 10 of the committee report and substitute the following:

12

13 "line 23, strike "THE INSPECTION."."

14

15 Page 5 of the committee report, line 5, strike "DOLLARS"." and substitute  
16 "DOLLARS";";

17

18 after line 5, insert the following:

19

20 "after line 18, insert the following:

21 **"SECTION 10. Adjustments to the 2006 Long Bill.** (1) For  
22 the implementation of this act, appropriations made in the annual general  
23 appropriation act for the fiscal year beginning July 1, 2006, shall be  
24 adjusted as follows:

25

26 (a) The appropriation to the department of labor and employment,  
27 division of oil and public safety, for school safety inspections, is  
28 decreased by eighty-one thousand nine hundred sixty-six dollars  
29 (\$81,966) and 1.0 FTE. Said sum shall be from the public safety  
30 inspection fund established in Section 8-1-151, Colorado Revised  
31 Statutes.

32

33 (b) The appropriation to the department of public safety, division  
34 of fire safety, for school safety inspections, is increased by two hundred  
35 four thousand six hundred forty dollars (\$204,640) and 4.0 FTE. Said sum  
36 shall be from the school safety inspection fund established in Section 24-  
37 33.5-1207.7, Colorado Revised Statutes."

38

39 Renumber succeeding sections accordingly.

40

41 Page 1, line 101, strike "INSPECTIONS." and substitute "INSPECTIONS,  
42 AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH."."

43

44

45

46 **HB06-1266** be amended as follows, and as so amended, be referred to  
47 the Committee of the Whole with favorable  
48 recommendation:

49

50 Amend the Health and Human Services Committee Report, dated  
51 February 15, 2006, page 2, strike line 34 and substitute the following:

52

53 "PROGRAMS.

54

55 **SECTION 8. No Appropriation - intent.** (1) The general  
56 assembly has determined that this act can be implemented within existing

1 appropriations, and therefore no separate appropriation of state moneys  
2 is necessary to carry out the purposes of this act.

3

4 (2) It is the intent of the general assembly that the recovery of  
5 public assistance through the garnishment of worker's compensation  
6 benefits not be incorporated into the Colorado benefits management  
7 system until it is shown to be an effective tool in the recovery of public  
8 assistance."."

9

10

11

12 **HB06-1311** be amended as follows, and as so amended, be referred to  
13 the Committee of the Whole with favorable  
14 recommendation:

15

16 Amend printed bill, page 4, line 22, strike "FIVE" and substitute "SIX".

17

18 Page 5, strike lines 4 and 5, and substitute the following:

19

20 "Colorado Revised Statutes, are amended to".

21

22 Page 6, strike lines 14 through 23.

23

24 Page 1, line 103, strike "LIST AND" and substitute "LIST,";

25

26 line 104, strike "FUND." and substitute "FUND, AND MAKING AN  
27 APPROPRIATION.".

28

29

30

31 **HB06-1312** be amended as follows, and as so amended, be referred to  
32 the Committee of the Whole with favorable  
33 recommendation:

34

35 Amend printed bill, page 5, after line 12, insert the following:

36

37 "(7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2011.";

38

39 after line 20, insert the following:

40

41 **"SECTION 3. Appropriation.** In addition to any other  
42 appropriation, there is hereby appropriated, out of any moneys in the  
43 private letter ruling fund created in section 24-35-103.5 (6), Colorado  
44 Revised Statutes, not otherwise appropriated, to the department of  
45 revenue, for allocation to the taxation business group, for the fiscal year  
46 beginning July 1, 2006, the sum of thirty-six thousand dollars (\$36,000)  
47 and 1.0 FTE, or so much thereof as may be necessary, for the  
48 implementation of this act.".

49

50 Renumber succeeding section accordingly.

51

52 Page 1, line 103, strike "TAXPAYERS." and substitute "TAXPAYERS, AND  
53 MAKING AN APPROPRIATION THEREFOR.".

54

55

56

1 **JUDICIARY**

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

4  
5 **HB06-1364** be amended as follows, and as so amended, be referred to  
6 the Committee of the Whole with favorable  
7 recommendation:

8  
9 Amend printed bill, page 2, line 6, strike "KNOWINGLY";

10  
11 line 8, strike "PERSON." and substitute "PERSON WHEN THE PERSON KNOWS  
12 OR REASONABLY SHOULD KNOW THAT THE RESTRAINED PERSON IS SUBJECT  
13 TO A COURT ORDER PROHIBITING CONTACT WITH THE PROTECTED  
14 PERSON.";

15  
16 strike lines 9 through 17 and substitute the following:

17  
18 "(b) THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (1)  
19 SHALL NOT APPLY TO A PERSON WHO IS WORKING PURSUANT TO AN  
20 AGREEMENT WITH COUNSEL FOR A RESTRAINED PERSON OR WITH THE  
21 RESTRAINED PERSON IF HE OR SHE IS REPRESENTING HIMSELF OR HERSELF,  
22 IF:

23  
24 (I) (A) THE RESTRAINED PERSON SEEKS DISCOVERY OF THE  
25 LOCATION OF THE PROTECTED PERSON FOR A LAWFUL PURPOSE AS  
26 SPECIFIED IN A WRITTEN AGREEMENT BETWEEN THE PERSON AND THE  
27 RESTRAINED PERSON OR HIS OR HER COUNSEL; AND

28  
29 (B) THE WRITTEN AGREEMENT STATES THAT THE LOCATION OF THE  
30 PROTECTED PERSON SHALL NOT BE DISCLOSED BY THE PERSON OR BY  
31 COUNSEL FOR THE RESTRAINED PERSON TO THE RESTRAINED PERSON  
32 UNLESS THE PROTECTED PERSON HAS AGREED TO THE DISCLOSURE IN  
33 WRITING OR THE RESTRAINED PERSON OBTAINS COURT PERMISSION TO  
34 OBTAIN DISCLOSURE OF THE LOCATION FOR THE STATED LAWFUL PURPOSE;  
35 OR

36  
37 (II) (A) THE RESTRAINED PERSON IS A DEFENDANT IN A CRIMINAL  
38 CASE OR A PARTY TO A CIVIL CASE, AN ACTION FOR DISSOLUTION OF  
39 MARRIAGE, OR OTHER LEGAL PROCEEDING; AND

40  
41 (B) THE AGREEMENT STATES THAT THE LAWFUL PURPOSE FOR  
42 LOCATING THE PROTECTED PERSON IS TO INTERVIEW OR ISSUE A LAWFUL  
43 SUBPOENA OR SUMMONS TO THE PROTECTED PERSON OR FOR ANY OTHER  
44 LAWFUL PURPOSE RELATING TO THE PROPER INVESTIGATION OF THE  
45 CASE."

46  
47 Page 3, line 10, strike "SHALL HAVE THE SAME MEANING AS" and  
48 substitute "MEANS AN ORDER AS";

49  
50 line 11, strike "DEFINED" and substitute "DESCRIBED" and, strike "(a.5)."  
51 and substitute "(a.5) THAT PROHIBITS A RESTRAINED PERSON FROM  
52 CONTACTING A PROTECTED PERSON."

53  
54  
55



1 Page 4, line 6, strike "HIRES," and substitute "EXCEPT AS PERMITTED  
2 PURSUANT TO SECTION 18-13-125 (1) (b), HIRES,";  
3  
4 strike lines 8 through 16 and substitute the following:  
5 "PERSON."

---

6  
7  
8  
9 **LAY OVER OF CALENDAR ITEMS**

10  
11 On motion of Representative Madden, the following items on the  
12 Calendar were laid over until April 12, retaining place on Calendar:  
13

- 14 Consideration of Third Reading--**HB06-1352**.  
15 Consideration of General Orders--**HB06-1096, HCR06-1001,**  
16 **HB06-1322, SB06-114, 066, HB06-1111, 1302, SB06-203, 204, 205,**  
17 **037, HB06-1131, 1306**.  
18 Consideration of Conference Committee Reports--**SB06-145,**  
19 **HB06-1159**.  
20 Consideration of Resolutions--**HJR06-1016, 1020**.  
21 Consideration of Senate Amendments--**HB06-1125, 1193, 1338, 1275**.  
22 Consideration of Governor's Vetoes--**HB06-1216, 1005, 1023, 1369,**  
23 **1371, 1374**.

---

24  
25  
26  
27 On motion of Representative Paccione, the House adjourned until  
28 9:00 a.m., April 12, 2006.

29  
30 Approved:  
31 ANDREW ROMANOFF,  
32 Speaker

33 Attest:  
34 MARILYN EDDINS,  
35 Chief Clerk