

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

One hundred-fifth Legislative Day

Tuesday, April 25, 2006

1 Prayer by Dr. C. Gene Selander, Crossroads, Broomfield.

2

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

4

5 Pledge of Allegiance led by Shelby Rehg and Quaid Moore from
6 Namaqua Elementary, Loveland.

7

8 The roll was called with the following result:

9

10 Present--58.

11 Excused--Representatives Cloer, Hefley, Madden, McGihon,
12 Pommer, Stafford--6.

13 Absent--Representative Plant--1.

14 Present after roll call--Representatives Cloer, Madden, Plant,
15 Pommer, Stafford.

16

17 The Speaker declared a quorum present.

18

19

20 On motion of Representative Sullivan, the reading of the journal of
21 April 24, 2006, was declared dispensed with and approved as corrected
22 by the Chief Clerk.

23

24

CONSIDERATION OF RESOLUTIONS

25

26
27 **HJR06-1032** by Representative(s) Borodkin, Benefield, Butcher,
28 Carroll M., Cerbo, Clapp, Gallegos, Harvey, Hefley,
29 Hodge, Hoppe, Kerr A., Kerr J., Knoedler, Lindstrom,
30 Liston, Madden, Marshall, Massey, McFadyen, Merrifield,
31 Ragsdale, Riesberg, Romanoff, Rose, Soper, Stengel,
32 Todd, Vigil, Weissmann, White, Witwer; also Senator(s)
33 Gordon--Concerning the declaration of April 23-30, 2006,
34 as "Holocaust Awareness Week", and, in connection
35 therewith, declaring May 8, 2006, as "Genocide
36 Awareness Day".

37

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

39

40 On motion of Representative Borodkin, the resolution was read at length
41 and **adopted** by **viva voce** vote.

42

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

1 **HJR06-1023** by Representative(s) Madden, Borodkin, Carroll T.,
 2 Coleman, Jahn, Marshall, Larson, Massey, Romanoff,
 3 Witwer; also Senator(s) Grossman, Groff--Concerning the
 4 Colorado general assembly's endorsement of the Western
 5 Governors' Association policy resolution on United States
 6 - Mexico border security and illegal immigration.

7
 8 (Printed and placed in member's file.)
 9

10 Representative Madden, moved that the resolution be **adopted**.

11
 12 Representative Lundberg moved the following amendment:

13
 14 Amendment No. 1, by Representatives Lundberg, Madden.

15
 16 Amend printed joint resolution, page 4, line 9, after "resolution.", add
 17 "However, there is no consensus by the General Assembly concerning
 18 the implementation of a temporary guest worker program."
 19

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

21
 22 On motion of Representative Madden, the resolution as amended was
 23 **adopted** by the following roll call vote:

YES	61	NO	02	EXCUSED	02	ABSENT	00
Balmer	Y	Frangas	Y	Larson	Y	Pommer	Y
Benefield	Y	Gallegos	Y	Lindstrom	Y	Ragsdale	Y
Berens	Y	Garcia	Y	Liston	Y	Riesberg	Y
Borodkin	Y	Gardner	Y	Lundberg	Y	Rose	Y
Buescher	Y	Green	Y	Madden	Y	Schultheis	N
Butcher	Y	Hall	Y	Marshall	Y	Solano	Y
Cadman	Y	Harvey	Y	Massey	Y	Soper	Y
Carroll M	Y	Hefley	E	May	Y	Stafford	Y
Carroll T	Y	Hodge	Y	McCluskey	Y	Stengel	Y
Cerbo	Y	Hoppe	Y	McFadyen	Y	Sullivan	Y
Clapp	Y	Jahn	Y	McGihon	E	Todd	Y
Cloer	Y	Judd	Y	McKinley	Y	Vigil	Y
Coleman	Y	Kerr A	Y	Merrifield	Y	Weissmann	Y
Crane	Y	Kerr J	Y	Paccione	Y	Welker	Y
Curry	Y	King	Y	Penry	Y	White	Y
Decker	N	Knoedler	Y	Plant	Y	Witwer	Y
						Speaker	Y

43 Co-sponsors added: Representatives Benefield, Berens, Cadman, Carroll M,
 44 Cerbo, Cloer, Curry, Garcia, Green, Hall, Harvey, Hodge, Hoppe, Kerr A,
 45 Kerr J, King, Lindstrom, Liston, May, McCluskey, McFadyen, McKinley,
 46 Merrifield, Paccione, Ragsdale, Riesberg, Rose, Solano, Soper, Stafford,
 47 Sullivan, Todd, Vigil, White.

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

CHANGE IN SPONSORSHIP

1
2
3 Speaker Romanoff announced that Representative Harvey has replaced
4 Representative May as House sponsor for **SB06-193**.

REPORTS OF COMMITTEES OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

10
11 After consideration on the merits, the Committee recommends the
12 following:

13
14 **HB06-1400** be amended as follows, and as so amended, be referred to
15 the Committee on Appropriations with favorable
16 recommendation:

17
18 Amend printed bill, page 3, after line 12, insert the following:

19 **"SECTION 4. Appropriation.** (1) In addition to any other
20 appropriation, there is hereby appropriated, out of any moneys in the
21 operational account of the severance tax trust fund created in section
22 39-29-109, Colorado Revised Statutes, not otherwise appropriated, for the
23 fiscal year beginning July 1, 2006, the sum of one million six thousand
24 nine hundred twenty-seven dollars (\$1,006,927) and 2.2 FTE, or so much
25 thereof as may be necessary, for the ongoing implementation of House
26 Bill 05-1177. Of such sum, one hundred fifty-one thousand six hundred
27 seventy-three dollars (\$151,673) and 1 FTE, or so much thereof as may
28 be necessary, is appropriated to the office of the governor for allocation
29 to the director of compact negotiations; and eight hundred fifty-five
30 thousand two hundred fifty-four dollars (\$855,254) and 1.2 FTE, or so
31 much thereof as may be necessary, is appropriated to the department of
32 natural resources for allocation to the Colorado water conservation board,
33 to be used for basin roundtable meetings, interbasin compact committee
34 meetings, a water needs assessment refinement, and public education and
35 outreach.

36
37 (2) The moneys appropriated in subsection (1) of this section shall
38 remain available for the designated purposes until they are fully
39 expended."

40
41 Renumber succeeding section accordingly.

42
43 Page 1, line 102, strike "CHARTER" and substitute "CHARTER,";

44
45 line 103, strike "AND";

46
47 line 104, strike "ROUNDTABLES." and substitute "ROUNDTABLES, AND
48 MAKING AN APPROPRIATION .".

49
50
51
52 **HJR06-1028** be postponed indefinitely.

53
54
55 **SB06-183** be referred favorably to the Committee on Appropriations.
56

1 **APPROPRIATIONS**

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

4
5 **HB06-1342** The committee returns herewith House Bill 06-1342
6 because consideration of the measure was postponed for
7 more than 30 days or until a date beyond the date for
8 adjournment sine die of the legislative session. Therefore,
9 under House Rule 25 (j) (3), said bill is deemed to be
10 postponed indefinitely.

11
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14
15 **HEALTH & HUMAN SERVICES**

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

18
19 **SB06-044** 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 5, line 15, strike "CLINICS AND" and
24 substitute "CLINICS, LICENSED OR CERTIFIED";

25
26 line 16, after "CLINICS", insert "AND PRIMARY CARE CLINICS".

27
28
29
30 **SB06-059** be amended as follows, and as so amended, be referred to
31 the Committee on Appropriations with favorable
32 recommendation:

33
34 Amend reengrossed bill, page 3, line 22, strike "THROUGH GIFTS, GRANTS,
35 AND DONATIONS" and substitute "FROM THE STUDENT DENTAL PROGRAM
36 FUND".

37
38 Page 5, strike line 15 and substitute the following:

39
40 **"SECTION 4. Appropriation.** (1) In addition to any other
41 appropriation, there is hereby appropriated, out of any moneys in the
42 general fund not otherwise appropriated, to the student dental program
43 fund, created in section 25-21.5-104.5, Colorado Revised Statutes, for the
44 fiscal year beginning July 1, 2006, the sum of one hundred thousand
45 dollars (\$100,000).

46
47 (2) In addition to any other".

48
49
50
51 **SB06-128** be referred favorably to the Committee on Appropriations.

52
53
54 **SB06-131** be amended as follows, and as so amended, be referred to
55 the Committee on Appropriations with favorable
56 recommendation:

1 Amend reengrossed bill, page 3, line 14, strike "INCLUDE, BUT NOT BE
2 LIMITED TO," and substitute "INCLUDE";

3
4 line 17, strike "RESIDENTS." and substitute "RESIDENTS, A
5 REIMBURSEMENT SYSTEM BASED UPON A PAY FOR PERFORMANCE MODEL,
6 AND ANY OTHER REIMBURSEMENT SYSTEM AS DETERMINED BY THE STATE
7 DEPARTMENT.".

8
9 Page 5, line 16, after the period, add "THE INCREASE IN THE
10 REIMBURSEMENT RATE REQUIRED FOR SOME CLASS I NURSING FACILITY
11 PROVIDERS PURSUANT TO THIS PARAGRAPH (a) SHALL NOT RESULT IN A
12 DECREASE IN THE REIMBURSEMENT RATE FOR ANY OTHER CLASS I NURSING
13 FACILITY PROVIDER.";

14
15 line 20, strike "AND THE" and substitute "INCLUDING BUT NOT LIMITED TO
16 DIRECT NURSING CARE. THE".

17
18
19
20 **SB06-165** be amended as follows, and as so amended, be referred to
21 the Committee on Appropriations with favorable
22 recommendation;

23
24 Amend reengrossed bill, page 11, line 24, strike the second "AND";
25
26 after line 24, insert the following:

27
28 "(c) WHETHER THE LIST OF CHRONIC MEDICAL CONDITIONS
29 INCLUDED IN THE PILOT PROGRAMS, AS SET FORTH IN SECTION 26-4-1502
30 (2), SHOULD BE EXPANDED TO ENCOMPASS OTHER CONDITIONS AND, IF SO,
31 WHAT OTHER CONDITIONS SHOULD BE ADDED; AND";

32
33 line 25, strike "(c)" and substitute "(d)".

34
35
36
37 **SB06-212** be referred to the Committee of the Whole with favorable
38 recommendation.

39
40
41 **SB06-217** be referred to the Committee of the Whole with favorable
42 recommendation.

43
44
45
46 **STATE, VETERANS, & MILITARY AFFAIRS**
47 After consideration on the merits, the Committee recommends the
48 following:

49
50 **HCR06-1003** be postponed indefinitely.

51
52
53 **HCR06-1012** be referred to the Committee of the Whole with
54 favorable recommendation.

55
56

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SB06-002, 090.**

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB06-1021, 1107, 1196, 1264, 1354, 1375** at 3:44 p.m., on April 24, 2006.

MESSAGES FROM THE SENATE

The Senate has adopted and transmits herewith: SJR06-031, 032, 034, 035, 050.

The Senate has adopted and transmits herewith: SJR06-046.

The Senate has adopted and returns herewith: HJR06-1032.

**INTRODUCTION OF BILLS
First Reading**

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

HB06-1405 by Representative(s) Plant, Buescher, Hall; also Senator(s) Tapia, Keller, Owen--Concerning a supplemental appropriation to capital construction.

Committee on Appropriations

SB06-223 by Senator(s) Gordon, Groff; also Representative(s) Plant, Larson--Concerning adoption of an interstate compact for the election of the president of the United States by national popular vote.

Committee on State, Veterans, & Military Affairs

INTRODUCTION OF RESOLUTIONS

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

SJR06-031 by Senator(s) Teck; also Representative(s) McGihon--Concerning the proclamation of May 2006 as "Hepatitis C Awareness Month".

SJR06-032 by Senator(s) Gordon; also Representative(s) Plant--Concerning the greening of state government buildings.

- 1 **SJR06-034** by Senator(s) Windels; also Representative(s) Paccione--
 2 Concerning recognition of April 25, 2006, as "Equal Pay
 3 Day", and, in connection therewith, encouraging
 4 employers and citizens to recognize women's contributions
 5 to the labor force.
 6
- 7 **SJR06-035** by Senator(s) Tupa; also Representative(s) Plant, Madden,
 8 Pommer--Concerning recognition of the Colorado
 9 Chautauqua.
 10
- 11 **SJR06-046** by Senator(s) Taylor, Isgar, Spence, Takis; also
 12 Representative(s) Coleman, Schultheis, Vigil, White--
 13 Concerning the appointment of Sally W. Symanski to the
 14 position of state auditor.
 15
- 16 **SJR06-050** by Senator(s) Fitz-Gerald; also Representative(s) Cloer,
 17 Benefield, Berens, Borodkin, Cadman, Carroll M., Clapp,
 18 Gallegos, Garcia, Gardner, Hodge, Hoppe, Jahn, Judd,
 19 Kerr J., Larson, Lindstrom, Lundberg, Marshall, Rose,
 20 Solano, Stafford, Stengel, Sullivan, Todd, Welker--
 21 Concerning the recognition of the military personnel from
 22 Colorado who are serving in Operation Iraqi Freedom and
 23 honoring those who have died while serving in Operation
 24 Iraqi Freedom.
 25

LAY OVER OF CALENDAR ITEMS

- 26
- 27
- 28
- 29 On motion of Representative Garcia, the following items on the Calendar
 30 were laid over until April 26, retaining place on Calendar:
 31
- 32 Consideration of Special Orders--**HB06-1003, 1050, SB06-114,**
 33 **HB06-1315, SB06-015, 020, 038, 094, 152, HB06-1395, SB06-171, 172,**
 34 **176, 188, HB06-1388.**
 35 Consideration of Third Reading--**HB06-1352, SB06-037, HB06-1178,**
 36 **SB06-008.**
 37 Consideration of General Orders--**HB06-1302, 1283, SB06-089,**
 38 **HCR06-1002.**
 39 Consideration of Resolutions--**HJR06-1022, HR06-1009, SJR06-020,**
 40 **HJR06-1024, 1025, 1031, HR06-1011, SJR06-037.**
 41 Consideration of Memorials--**HJM06-1003, HM06-1003, SJM06-003.**
 42 Consideration of Senate Amendments--**HB06-1125, 1386, 1201, 1008,**
 43 **1274, 1154, 1313.**
 44 Consideration of Adherence--**SB06-067.**
 45 Consideration of Governor's Vetoes--**HB06-1216, 1005, 1023, 1369,**
 46 **1371, 1374, 1010, 1056, 1077, 1148, 1174, 1212, 1095, 1309.**
 47

48

49 On motion of Representative Marshall, the House adjourned until
 50 9:00 a.m., April 26, 2006.
 51

52

53

54 Attest:
 55 MARILYN EDDINS,
 56 Chief Clerk

Approved:
 ANDREW ROMANOFF,
 Speaker