

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

Twentieth Legislative Day

Monday, January 30, 2006

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Biz McManus, State 4-H President.

6

7 The roll was called with the following result:

8

9 Present--64.

10 Absent--Representative Weissmann--1.

11 Present after roll call--Representative Weissmann.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Benefield, the reading of the journal of
17 January 27, 2006, was declared dispensed with and approved as corrected
18 by the Chief Clerk.

19

20

CONSIDERATION OF RESOLUTION

21

22
23 **HJR06-1008** by Representative(s) Hoppe; also Senator(s) Taylor--
24 Concerning the designation of Colorado 4-H Day.

25

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

27

28 On motion of Representative Hoppe, the resolution was read at length and
29 **adopted** by **viva voce** vote.

30

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

32

33

THIRD READING OF BILLS--FINAL PASSAGE

34

35
36 The following bills were considered on Third Reading. The titles were
37 publicly read. Reading of the bill at length was dispensed with by
38 unanimous consent.

39

40 **HB06-1002** by Representative(s) Carroll M., Borodkin, Butcher,
41 Cerbo, Coleman, McCluskey, Paccione; also Senator(s)
42 Isgar--Concerning the continuation of the office of
43 consumer counsel for the purpose of representing the

1 public interest in matters concerning utilities regulated by
2 the public utilities commission.
3

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

	YES	65	NO	00	EXCUSED	00	ABSENT	00
10	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
11	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
12	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
13	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
14	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
15	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
16	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
17	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
18	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
19	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
20	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
21	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
22	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
23	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
24	Crane	Y	King	Y	Penry	Y	White	Y
25	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
26							Speaker	Y

27 Co-sponsors added: Representatives Berens, Boyd, Carroll T, Frangas, Garcia,
28 Larson, Madden, Marshall, Merrifield, Plant, Pommer, Riesberg, Rose, and
29 Solano.
30

31 **HB06-1005** by Representative(s) Pommer, Benefield, King, Merrifield;
32 also Senator(s) Bacon, Tupa, Windels, Williams--
33 Concerning the authorization of additional school district
34 revenues to fund costs associated with full-day
35 kindergarten programs.
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	60	NO	05	EXCUSED	00	ABSENT	00
43	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
44	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
45	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
46	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
47	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	N
48	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
49	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
50	Cadman	N	Harvey	N	May	Y	Stafford	Y
51	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
52	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
53	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
54	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
55	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
56	Coleman	Y	Kerr	Y	Paccione	Y	Welker	N

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

4 Co-sponsors added: Representatives Berens, Borodkin, Boyd, Carroll M,
5 Carroll T, Cerbo, Coleman, Frangas, Gallegos, Garcia, Green, Hodge, Jahn,
6 Madden, Massey, May, McFadyen, McGihon, Paccione, Plant, Ragsdale,
7 Solano, Soper, Stafford, Todd, Vigil, Weissmann, and White.

8
9 **HB06-1021** by Representative(s) Benefield; also Senator(s) Tupa--
10 Concerning physical education teachers employed by
11 school districts.

12
13 The question being "Shall the bill pass?".

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

17	YES	43	NO	22	EXCUSED	00	ABSENT	00
18	Balmer	N	Decker	Y	Larson	N	Pommer	Y
19	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
20	Berens	N	Gallegos	Y	Liston	N	Riesberg	Y
21	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
22	Boyd	Y	Gardner	N	Madden	Y	Schultheis	N
23	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
24	Butcher	Y	Hall	N	Massey	Y	Soper	Y
25	Cadman	N	Harvey	N	May	N	Stafford	N
26	Carroll M	Y	Hefley	N	McCluskey	Y	Stengel	N
27	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	N
28	Cerbo	Y	Hoppe	N	McGihon	Y	Todd	Y
29	Clapp	N	Jahn	Y	McKinley	Y	Vigil	Y
30	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
31	Coleman	Y	Kerr	Y	Paccione	Y	Welker	N
32	Crane	N	King	N	Penry	N	White	N
33	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
34							Speaker	Y

35
36 Co-sponsors added: Representatives Todd, Borodkin, Frangas, Madden,
37 McGihon, Merrifield, Solano.

38
39 **HB06-1077** by Representative(s) Garcia, Balmer, Penry; also
40 Senator(s) Veiga, May R., Brophy, Mitchell, Spence,
41 Williams--Concerning risk-shifting provisions in a private
42 construction contract that address the indemnification of
43 a person against liability for damages caused by the sole
44 negligence of the indemnified person.

45
46 The question being "Shall the bill pass?".

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

50	YES	35	NO	30	EXCUSED	00	ABSENT	00
51	Balmer	Y	Decker	N	Larson	Y	Pommer	N
52	Benefield	N	Frangas	N	Lindstrom	Y	Ragsdale	N
53	Berens	N	Gallegos	N	Liston	N	Riesberg	N
54	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
55	Boyd	Y	Gardner	Y	Madden	N	Schultheis	N

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

13 Co-sponsor added: Representative Stafford.

14
 15 **HB06-1015** by Representative(s) Carroll T., Hefley, King, Marshall,
 16 McGihon; also Senator(s) Dyer, Groff, Grossman,
 17 Mitchell, Veiga--Concerning the enactment of Colorado
 18 Revised Statutes 2005 as the positive and statutory law of
 19 the state of Colorado.

20
 21 The question being "Shall the bill pass?".

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

25	YES	65	NO	00	EXCUSED	00	ABSENT	00
27	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
28	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
29	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
30	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
31	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
32	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
33	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
34	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
35	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
36	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
37	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
38	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
39	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
40	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
41	Crane	Y	King	Y	Penry	Y	White	Y
42	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
43							Speaker	Y

44 Co-sponsors added: Representatives Berens, Rose, Soper, and Stafford.

45
 46 **HB06-1027** by Representative(s) Lindstrom; also Senator(s) Johnson--
 47 Concerning persons authorized as peace officers in
 48 Colorado.

49
 50 The question being "Shall the bill pass?".

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

54	YES	65	NO	00	EXCUSED	00	ABSENT	00
55	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
56	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y

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

16 Co-sponsors added: Representatives Berens, Boyd, Carroll T, Coleman,
17 McGihon, Merrifield, and Rose.

18

19 **HB06-1031** by Representative(s) Larson; also Senator(s) Isgar--
20 Concerning the reimbursement allowed to directors of the
21 southwestern water conservation district for nontravel
22 expenses.

23

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

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

28

29	YES	65	NO	00	EXCUSED	00	ABSENT	00
30	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
31	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
32	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
33	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
34	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
35	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
36	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
37	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
38	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
39	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
40	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
41	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
42	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
43	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
44	Crane	Y	King	Y	Penry	Y	White	Y
45	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
46							Speaker	Y

47 Co-sponsors added: Representatives Gallegos, Hoppe, McFadyen, and Rose.

48

49 **HB06-1032** by Representative(s) Hodge; also Senator(s) Brophy--
50 Concerning inflation adjustments for irrigation districts.

51

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

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

56

	YES	60	NO	05	EXCUSED	00	ABSENT	00
1								
2	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
3	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
4	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
5	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
6	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	N
7	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
8	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
9	Cadman	N	Harvey	Y	May	Y	Stafford	Y
10	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
11	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
12	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
13	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
14	Cloer	N	Judd	Y	Merrifield	Y	Weissmann	N
15	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
16	Crane	Y	King	Y	Penry	Y	White	Y
17	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
18							Speaker	Y

19 Co-sponsors added: Representatives Curry, Hoppe, McFadyen, and Rose.

20
 21 **HB06-1049** by Representative(s) Witwer; also Senator(s) Grossman--
 22 Concerning limitations on liability for owners of
 23 abandoned mining operations on land made available for
 24 public recreational purposes.

25
 26 The question being "Shall the bill pass?".

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

	YES	65	NO	00	EXCUSED	00	ABSENT	00
31								
32	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
33	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
34	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
35	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
36	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
37	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
38	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
39	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
40	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
41	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
42	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
43	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
44	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
45	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
46	Crane	Y	King	Y	Penry	Y	White	Y
47	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
48							Speaker	Y

49 Co-sponsors added: Representatives Balmer, Berens, Boyd, Buescher, Cadman,
 50 Clapp, Coleman, Crane, Curry, Decker, Gallegos, Gardner, Hall, Harvey,
 51 Hefley, Hoppe, King, Knoedler, Larson, Lindstrom, Lundberg, Madden,
 52 Marshall, Massey, May, McCluskey, McFadyen, Paccione, Penry, Rose,
 53 Stafford, Welker, and White.

54
 55

1 **HB06-1023** by Representative(s) King; also Senator(s) Windels--
2 Concerning educator licensure.

3
4 The question being "Shall the bill pass?".
5 A roll call vote was taken. As shown by the following recorded vote, a
6 majority of those elected to the House voted in the affirmative and the bill
7 was declared **passed**.

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

27 Co-sponsors added: Representatives Benefield, Berens, Boyd, Kerr, Liston,
28 Ragsdale, Solano, Stafford, Todd, Vigil, and Witwer.

29
30
31 **HB06-1069** by Representative(s) Crane; also Senator(s) Hanna--
32 Concerning an exemption from the prohibition against the
33 corporate practice of podiatry for a podiatrist employed by
34 a health care entity.

35
36 The question being "Shall the bill pass?".
37 A roll call vote was taken. As shown by the following recorded vote, a
38 majority of those elected to the House voted in the affirmative and the bill
39 was declared **passed**.

	YES	65	NO	00	EXCUSED	00	ABSENT	00
42	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
43	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
44	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
45	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
46	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
47	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
48	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
49	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
50	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
51	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
52	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
53	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
54	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
55	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
56	Crane	Y	King	Y	Penry	Y	White	Y

1	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
2							Speaker	Y

3 Co-sponsors added: Representatives Butcher, Frangas, Schultheis, Stafford, and
4 Todd.

5
6 **HB06-1059** by Representative(s) Riesberg, Berens, Cerbo, Lindstrom,
7 McCluskey, McGihon, Ragsdale, Vigil; also Senator(s)
8 Williams, Entz, Taylor, Tochtrop--Concerning the
9 structure of trust funds and investment funds in the
10 administration of assets for the benefit of firefighters and
11 police officers.

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

17	YES	65	NO	00	EXCUSED	00	ABSENT	00
18	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
19	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
20	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
21	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
22	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
23	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
24	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
25	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
26	Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	Y
27	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
28	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
29	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
30	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
31	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
32	Crane	Y	King	Y	Penry	Y	White	Y
33	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
34							Speaker	Y

35
36 Co-sponsors added: Representatives Butcher, Carroll M, Coleman, Gallegos,
37 Green, Hodge, Madden, Stafford, Todd, and Witwer.

38
39 **HB06-1068** by Representative(s) Lindstrom, Berens, Cerbo,
40 McCluskey, McGihon, Ragsdale, Riesberg, Vigil; also
41 Senator(s) Grossman, Entz, Taylor, Tochtrop--Concerning
42 the creation of a social security supplemental plan by the
43 board of directors of the fire and police pension
44 association that will allow employers that cover employees
45 under the federal "Social Security Act" to provide a
46 defined benefit retirement plan to employees.

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

52	YES	59	NO	06	EXCUSED	00	ABSENT	00
53	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
54	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
55	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y

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

15 Co-sponsors added: Representatives Butcher, Coleman, Gallegos, Hodge,
16 McFadyen, Merrifield, and Todd.

17

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REPORT OF COMMITTEE OF REFERENCE

21

APPROPRIATIONS

22 After consideration on the merits, the Committee recommends the
23 following:
24

25

26 **HB06-1200** be amended as follows, and as so amended, be referred to
27 the Committee of the Whole with favorable
28 recommendation:
29

30

Amend printed bill, page 11, after line 27, insert the following:

31

32 **"SECTION 3. Appropriation.** (1) In addition to any other
33 appropriation, there is hereby appropriated, out of any moneys in the
34 operational account of the severance tax trust fund created in section
35 39-29-109 (1) (a) (II), Colorado Revised Statutes, not otherwise
36 appropriated, to the department of human services, office of
37 self-sufficiency, special purpose welfare programs, for the low income
38 energy assistance program, pursuant to 39-29-109 (1.5) (b) (I) (A),
39 Colorado Revised Statutes, for the fiscal year beginning July 1, 2005, the
40 sum of seventeen million dollars (\$17,000,000), or so much thereof as
41 may be necessary, for the implementation of this act.
42

43

(2) In addition to any other appropriation, there is hereby
44 appropriated, out of any moneys in the operational account of the
45 severance tax trust fund created in section 39-29-109 (1) (a) (II),
46 Colorado Revised Statutes, not otherwise appropriated, to the governor's
47 office, pursuant to section 39-29-109 (1.5) (b) (I) (B), Colorado Revised
48 Statutes, for the fiscal year beginning July 1, 2005, the sum of three
49 million dollars (\$3,000,000), or so much thereof as may be necessary, for
50 the implementation of this act.
51

52

(3) In addition to any other appropriation, there is hereby
53 appropriated, out of any moneys in the operational account of the
54 severance tax trust fund created in section 39-29-109 (1) (a) (II),
55 Colorado Revised Statutes, not otherwise appropriated, to the governor's
56 office, for allocation to the office of energy management and

1 conservation, pursuant to section 39-29-109 (1.5) (b) (II), Colorado
2 Revised Statutes, for the fiscal year beginning July 1, 2005, the sum of
3 four million dollars (\$4,000,000), or so much thereof as may be
4 necessary, for the implementation of this act.

5
6 **SECTION 4. Appropriation.** (1) In addition to any other
7 appropriation, there is hereby appropriated, out of any moneys in the
8 operational account of the severance tax trust fund created in section
9 39-29-109 (1) (a) (II), Colorado Revised Statutes, not otherwise
10 appropriated, to the department of human services, office of
11 self-sufficiency, special purpose welfare programs, for the low income
12 energy assistance program, pursuant to section 39-29-109 (1.5) (c) (I)
13 (A), Colorado Revised Statutes, for the fiscal year beginning July 1,
14 2006, the sum of five million nine hundred fifty thousand dollars
15 (\$5,950,000), or so much thereof as may be necessary, for the
16 implementation of this act.

17
18 (2) In addition to any other appropriation, there is hereby
19 appropriated, out of any moneys in the operational account of the
20 severance tax trust fund created in section 39-29-109 (1) (a) (II),
21 Colorado Revised Statutes, not otherwise appropriated, to the governor's
22 office, pursuant to section 39-29-109 (1.5) (c) (I) (B), Colorado Revised
23 Statutes, for the fiscal year beginning July 1, 2006, the sum of one million
24 fifty thousand dollars (\$1,050,000), or so much thereof as may be
25 necessary, for the implementation of this act.

26
27 (3) In addition to any other appropriation, there is hereby
28 appropriated, out of any moneys in the operational account of the
29 severance tax trust fund created in section 39-29-109 (1) (a) (II),
30 Colorado Revised Statutes, not otherwise appropriated, to the governor's
31 office, for allocation to the office of energy management and
32 conservation, pursuant to section 39-29-109 (1.5) (c) (II), Colorado
33 Revised Statutes, for the fiscal year beginning July 1, 2006, the sum of
34 four million dollars (\$4,000,000), or so much thereof as may be
35 necessary, for the implementation of this act."

36
37 Renumber succeeding section accordingly.

38
39 Page 1, line 103, strike "FUND." and substitute "FUND, AND MAKING AN
40 APPROPRIATION IN CONNECTION THEREWITH."

41 42 43 44 **PRINTING REPORT**

45
46 The Chief Clerk reports the following bills have been correctly printed:
47 **HB06-1196, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208.**

48 49 50 51 **MESSAGE FROM THE SENATE**

52
53 The Senate has adopted and transmits herewith: SJR06-006.
54
55
56

INTRODUCTION OF RESOLUTION

The following resolution was laid over until later in the day:

SJR06-006 by Senator(s) Williams; also Representative(s) Witwer--
Concerning the safety of teen drivers.

On motion of Representative Madden, **HB06-1200, 1087, 1061, 1095, 1009** were made Special Orders on Monday, January 30, 2006, at 11:05 a.m.

The hour of 11:05 a.m., having arrived, on motion of Representative Coleman, the House resolved itself into Committee of the Whole for consideration of Special Orders and she was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

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

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

HB06-1200 by Representative(s) Buescher, Sullivan; also Senator(s) Kester, Keller--Concerning energy-related assistance to low-income households from the proceeds of the operational account of the severance tax trust fund.

Amendment No. 1, Finance Report, dated January 27, 2006, and placed in member's bill file; Report also printed in House Journal, January 27, page 119.

Amendment No. 2, by Appropriations Report, dated January 30, 2006, and placed in member's bill file; Report also printed in House Journal, January 30, pages 131-132.

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

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

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

1 **HB06-1061** by Representative(s) Coleman, Schultheis, Vigil, White;
 2 also Senator(s) Takis, Hanna, Taylor--Concerning
 3 complaints by state employees alleging retaliation for
 4 disclosure of information.

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

8
 9 **HB06-1095** by Representative(s) Weissmann, Garcia, Marshall; also
 10 Senator(s) Hanna, Groff, Takis--Concerning a preference
 11 for the purchase of environmentally preferable products by
 12 governmental entities.

13
 14 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
 15 January 24, 2006, and placed in member's bill file; Report also printed in
 16 House Journal, January 25, pages 94-95.

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

20
 21 **HB06-1009** by Representative(s) Liston; also Senator(s) Spence--
 22 Concerning an increase in the limit on the amount of
 23 money to be collected as penalties for delinquent property
 24 tax payments that the county treasurer is authorized to
 25 refrain from collecting.

26
 27 Ordered engrossed and placed on the Calendar for Third Reading and
 28 Final Passage.

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

33
 34 Passed Second Reading: **HB06-1200 amended, 1087, 1061, 1095**
 35 **amended, 1009.**

36
 37 The Chairman moved the adoption of the Committee of the Whole
 38 Report. As shown by the following roll call vote, a majority of those
 39 elected to the House voted in the affirmative, and the Report was
 40 **adopted.**

41
 42

YES	55	NO	10	EXCUSED	00	ABSENT	00
Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
Borodkin	Y	Garcia	Y	Lundberg	N	Rose	N
Boyd	Y	Gardner	N	Madden	Y	Schultheis	N
Buescher	Y	Green	Y	Marshall	Y	Solano	Y
Butcher	Y	Hall	Y	Massey	Y	Soper	Y
Cadman	N	Harvey	Y	May	Y	Stafford	Y
Carroll M	Y	Hefley	Y	McCluskey	Y	Stengel	N
Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
Cerbo	Y	Hoppe	N	McGihon	Y	Todd	Y
Clapp	N	Jahn	Y	McKinley	Y	Vigil	Y
Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
Coleman	Y	Kerr	Y	Paccione	Y	Welker	N

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

CONSIDERATION OF RESOLUTION

8
9 **SJR06-006** by Senator(s) Williams; also Representative(s) Witwer--
10 Concerning the safety of teen drivers.

11
12 (Printed and placed in members file).

13
14 On motion of Representative Madden, the rules were suspended and the
15 resolution given immediate consideration.

16
17 On motion of Representative Witwer, the resolution was **adopted** by **viva**
18 **voce** vote.

19
20 Co-sponsors added: Roll Call of the House.

MESSAGE FROM THE SENATE

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26 The Senate has adopted and returns herewith: HJR06-1004.

27
28 The Senate has adopted and returns herewith: HJR06-1008.

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30
31 House in recess. House reconvened.

MESSAGE FROM THE SENATE

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36
37 The Senate has passed on Third Reading and transmitted to the Revisor
38 of Statutes: SB06-060, SB06-033, SB06-034, SB06-006,

39
40 The Senate has passed on Third Reading and transmitted to the Revisor
41 of Statutes: SB06-013, amended as printed in Senate Journal, January 27,
42 page 74

MESSAGE FROM THE REVISOR

43
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47
48 We herewith transmit:
49 Without comment, SB06-006, 033, 034, and 060.
50 Without comment, as amended, SB06-013.

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INTRODUCTION OF BILLS
First Reading

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

HB06-1209 by Representative(s) Witwer, Carroll T., Crane, Harvey, Hefley, Jahn, Kerr, King, Marshall, Penry, Stafford; also Senator(s) Mitchell, Grossman--Concerning the voluntary contribution designation benefiting the Colorado special olympics fund that appears on the state individual income tax return forms, and, in connection therewith, extending the period for the contribution designation.

Committee on Finance

HB06-1210 by Representative(s) Witwer; also Senator(s) Tochtrop--Concerning the addition of a new member to the Colorado recreational trails committee who represents the state board of the great outdoors Colorado trust fund.

Committee on Agriculture, Livestock, & Natural Resources

HB06-1211 by Representative(s) Frangas, Cloer--Concerning sanctions under the medical assistance program.

Committee on Health and Human Services

HB06-1212 by Representative(s) Boyd; also Senator(s) Veiga--Concerning authority of a pharmacist regarding emergency contraception.

Committee on Health and Human Services

INTRODUCTION OF RESOLUTION

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

HJR06-1010 by Representative(s) Massey and Balmer and Benefield and Berens and Buescher and Carroll M. and Curry and Gallegos and Gardner and Green and Kerr and Knoedler and Lindstrom and Liston and McKinley and Penry and Riesberg and Solano and Soper and Sullivan and Todd and Witwer; also Senator(s) Shaffer and Traylor--Concerning civility in the Colorado General Assembly.

LAY OVER OF CALENDAR ITEMS

On motion of Representative Garcia, the following items on the Calendar were laid over until January 31, retaining place on Calendar:

Consideration of General Orders--**HB06-1038, 1042, 1094.**

Consideration of Resolutions--**HJR06-1009, SJR06-005.**

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Correction

H.J. page 119, line 51 strike "Finance" and substitute "Appropriations".

On motion of Representative Judd, the House adjourned until 9:00 a.m.,
January 31, 2006.

Approved:
ANDREW ROMANOFF,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk