

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

Thirty-eighth Legislative Day

Friday, February 17, 2006

1 Prayer by Father Tom Carzon, Holy Ghost Church, Denver.

2

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

4

5 Pledge of Allegiance led by Representative Hodge.

6

7 The roll was called with the following result:

8

9 Present--50.

10 Excused--Representatives Balmer, Buescher, Butcher, Coleman,
 11 Gardner, Hall, Hefley, Hoppe, Judd, King, Penry, Plant, Riesberg,
 12 Vigil, Weissmann--15.

13 Present after roll call--Representatives Balmer, Buescher, Butcher,
 14 Coleman, Gardner, Hall, Hoppe, Judd, King, Penry, Plant,
 15 Riesberg, Vigil, Weissmann.

16

17 The Speaker declared a quorum present.

18

19

20 On motion of Representative Cadman, the reading of the journal of
 21 February 16, 2006, was declared dispensed with and approved as
 22 corrected by the Chief Clerk.

23

24

THIRD READING OF BILLS--FINAL PASSAGE

25

26
 27 The following bills were considered on Third Reading. The titles were
 28 publicly read. Reading of the bill at length was dispensed with by
 29 unanimous consent.

30

31 **HB06-1152** by Representative(s) Cadman; also Senator Tupa--
 32 Concerning a requirement that the results of absentee and
 33 early voting be reported by precinct.

34

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

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

39

	YES	37	NO	27	EXCUSED	01	ABSENT	00
41	Balmer	Y	Decker	Y	Larson	N	Pommer	N
42	Benefield	Y	Frangas	N	Lindstrom	Y	Ragsdale	N
43	Berens	Y	Gallegos	N	Liston	Y	Riesberg	N

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

15 Co-sponsors added: Representatives Kerr, Knoedler, Liston, Lundberg, May,
16 and Stengel.

17
18 **HB06-1053** by Representative(s) Pommer--Concerning local
19 government master plans for land use management.

20
21 Laid over until February 20, retaining place on Calendar.

22
23 **HB06-1084** by Representative(s) Liston; also Senator(s) Kester--
24 Concerning illegal speeding activities involving motor
25 vehicles.

26
27 The question being "Shall the bill pass?".
28 A roll call vote was taken. As shown by the following recorded vote, a
29 majority of those elected to the House voted in the affirmative and the bill
30 was declared **passed**.

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

50 Co-sponsors added: Representatives Berens, Borodkin, Crane, Decker, Frangas,
51 Garcia, Kerr, Knoedler, Merrifield, and Pommer.

52
53 **HB06-1204** by Representative(s) McKinley, Gallegos, Hodge; also
54 Senator(s) Taylor--Concerning the regulation of persons
55 working in coal mines, and, in connection therewith,
56 continuing the coal mine board of examiners.

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

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

23 Co-sponsors added: Representatives Berens, Borodkin, Carroll M, Curry,
 24 Frangas, Hoppe, McFadyen, Merrifield, Paccione, and Ragsdale.

25
 26 **SB06-034** by Senator(s) Entz, Fitz-Gerald, Grossman, Isgar, Taylor;
 27 also Representative(s) Hodge, Butcher, Curry, Hoppe,
 28 White--Concerning the appointment to the Colorado water
 29 resources and power development authority board of
 30 directors of a director who is experienced in water quality
 31 matters.
 32

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

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

55 Co-sponsors added: Representatives Berens, Buescher, Coleman, Frangas, Kerr,
 56 Merrifield, Paccione, and Ragsdale.

1 **HB06-1030** by Representative(s) Coleman, Carroll M., Cerbo; also
 2 Senator(s) Veiga--Concerning the requirement that an
 3 insurer make certain disclosures to consumers regarding
 4 the content of automobile insurance policies.
 5

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

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

29 Co-sponsors added: Representatives Borodkin, Frangas, and Marshall.
 30

31 **HB06-1055** by Representative(s) Coleman; also Senator(s) Shaffer--
 32 Concerning a modification to the exception to the
 33 limitation on medical impairment benefits for workers'
 34 compensation claims based on mental impairment.
 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	44	NO	20	EXCUSED	01	ABSENT	00
42	Balmer	N	Decker	N	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	N	Rose	N
46	Boyd	Y	Gardner	N	Madden	Y	Schultheis	N
47	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
48	Butcher	Y	Hall	N	Massey	Y	Soper	Y
49	Cadman	N	Harvey	N	May	N	Stafford	N
50	Carroll M	Y	Hefley	E	McCluskey	Y	Stengel	N
51	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	N
52	Cerbo	Y	Hoppe	N	McGihon	Y	Todd	Y
53	Clapp	N	Jahn	Y	McKinley	Y	Vigil	Y
54	Cloer	N	Judd	Y	Merrifield	Y	Weissmann	Y
55	Coleman	Y	Kerr	Y	Paccione	Y	Welker	N
56	Crane	N	King	N	Penry	Y	White	Y

1 Curry Y Knoedler Y Plant Y Witwer N
 2 Speaker Y
 3 Co-sponsors added: Representatives Borodkin, Carroll M, Frangas, and
 4 Ragsdale.
 5
 6 **HB06-1115** by Representative(s) May M., Cerbo, Cloer; also
 7 Senator(s) Groff, Brophy--Concerning required
 8 information on collision damage waivers in advertising for
 9 rental motor vehicles, and, in connection therewith,
 10 requiring lessors of rental motor vehicles to disclose
 11 collision damage waiver rates in advertising that includes
 12 rental rates.
 13

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

	YES	64	NO	00	EXCUSED	01	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	Y	Rose	Y
Boyd	Y		Gardner	Y	Madden	Y	Schultheis	Y
Buescher	Y		Green	Y	Marshall	Y	Solano	Y
Butcher	Y		Hall	Y	Massey	Y	Soper	Y
Cadman	Y		Harvey	Y	May	Y	Stafford	Y
Carroll M	Y		Hefley	E	McCluskey	Y	Stengel	Y
Carroll T	Y		Hodge	Y	McFadyen	Y	Sullivan	Y
Cerbo	Y		Hoppe	Y	McGihon	Y	Todd	Y
Clapp	Y		Jahn	Y	McKinley	Y	Vigil	Y
Cloer	Y		Judd	Y	Merrifield	Y	Weissmann	Y
Coleman	Y		Kerr	Y	Paccione	Y	Welker	Y
Crane	Y		King	Y	Penry	Y	White	Y
Curry	Y		Knoedler	Y	Plant	Y	Witwer	Y
							Speaker	Y

37
 38 **HB06-1119** by Representative(s) Marshall, Harvey, Madden,
 39 Paccione; also Senator(s) Keller--Concerning security
 40 breaches regarding personal identifying information.
 41

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

	YES	64	NO	00	EXCUSED	01	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	Y	Rose	Y
Boyd	Y		Gardner	Y	Madden	Y	Schultheis	Y
Buescher	Y		Green	Y	Marshall	Y	Solano	Y
Butcher	Y		Hall	Y	Massey	Y	Soper	Y
Cadman	Y		Harvey	Y	May	Y	Stafford	Y
Carroll M	Y		Hefley	E	McCluskey	Y	Stengel	Y

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

9 Co-sponsors added: Representatives Berens, Borodkin, Boyd, Butcher, Carroll
 10 M, Carroll T, Frangas, Gallegos, Hodge, Kerr, King, Knoedler, Liston, Massey,
 11 McCluskey, Penry, Stafford, Todd, White, and Witwer.

12
 13 **HB06-1144** by Representative(s) May M., Schultheis, Harvey; also
 14 Senator(s) Veiga--Concerning the enforcement of liquor
 15 laws regarding sales to minors, and, in connection
 16 therewith, creating an affirmative defense for retail alcohol
 17 beverage licensees and limiting peace officers' ability to
 18 conduct random enforcement operations at licensed
 19 premises.

20
 21 The question being "Shall the bill pass?".
 22 A roll call vote was taken. As shown by the following recorded vote, less
 23 than a majority of those elected to the House voted in the affirmative and
 24 the bill was declared **lost**.

25	YES	28	NO	34	EXCUSED	03	ABSENT	00
26	Balmer	Y	Decker	N	Larson	N	Pommer	N
27	Benefield	N	Frangas	Y	Lindstrom	N	Ragsdale	N
28	Berens	N	Gallegos	N	Liston	Y	Riesberg	N
29	Borodkin	N	Garcia	N	Lundberg	Y	Rose	Y
30	Boyd	N	Gardner	N	Madden	N	Schultheis	Y
31	Buescher	N	Green	N	Marshall	Y	Solano	Y
32	Butcher	N	Hall	Y	Massey	N	Soper	N
33	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
34	Carroll M	Y	Hefley	E	McCluskey	Y	Stengel	Y
35	Carroll T	N	Hodge	N	McFadyen	N	Sullivan	Y
36	Cerbo	N	Hoppe	N	McGihon	N	Todd	Y
37	Clapp	Y	Jahn	Y	McKinley	N	Vigil	N
38	Cloer	N	Judd	Y	Merrifield	N	Weissmann	E
39	Coleman	Y	Kerr	Y	Paccione	N	Welker	Y
40	Crane	Y	King	N	Penry	N	White	Y
41	Curry	N	Knoedler	Y	Plant	Y	Witwer	E
42							Speaker	N

43
 44 Representatives Witwer and Weissmann excused from voting under
 45 House Rule 21(c).

46
 47 **HB06-1174** by Representative(s) Soper, Carroll M., Cerbo, Larson,
 48 Sullivan; also Senator(s) Shaffer--Concerning workers'
 49 compensation coverage for workers in the construction
 50 industry.

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**.

	YES	42	NO	22	EXCUSED	01	ABSENT	00
1								
2	Balmer	N	Decker	N	Larson	Y	Pommer	Y
3	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
4	Berens	Y	Gallegos	Y	Liston	N	Riesberg	Y
5	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	N
6	Boyd	Y	Gardner	N	Madden	Y	Schultheis	N
7	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
8	Butcher	Y	Hall	N	Massey	Y	Soper	Y
9	Cadman	N	Harvey	N	May	N	Stafford	Y
10	Carroll M	Y	Hefley	E	McCluskey	N	Stengel	N
11	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
12	Cerbo	Y	Hoppe	N	McGihon	Y	Todd	Y
13	Clapp	N	Jahn	Y	McKinley	N	Vigil	Y
14	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
15	Coleman	Y	Kerr	Y	Paccione	Y	Welker	N
16	Crane	N	King	N	Penry	N	White	Y
17	Curry	Y	Knoedler	N	Plant	Y	Witwer	N
18							Speaker	Y

19 Co-sponsors added: Representatives Benefield, Carroll T, Frangas, Hodge,
20 Madden, Marshall, McGihon, Merrifield, and Vigil.

21
22
23
24 On motion of Representative Plant, the House resolved itself into
25 Committee of the Whole for consideration of General Orders, and he was
26 called to the Chair to act as Chairman.

30 GENERAL ORDERS--SECOND READING OF BILLS

31
32 The Committee of the Whole having risen, the Chairman reported the
33 titles of the following bills had been read (reading at length had been
34 dispensed with by unanimous consent), the bills considered and action
35 taken thereon as follows:

36
37 (Amendments to the committee amendment are to the printed committee
38 report which was printed and placed in the members' bill file.)

39
40 **HB06-1079** by Representative(s) Frangas, Coleman, Green, Penry;
41 also Senator(s) Johnson--Concerning penalties against
42 medical providers for the unlawful receipt of payment
43 from medicaid recipients.

44
45 Amendment No. 1, Health and Human Services Report, dated February
46 6, 2006, and placed in member's bill file; Report also printed in House
47 Journal, February 7, page 243.

48
49 As amended, ordered engrossed and placed on the Calendar for Third
50 Reading and Final Passage.

51
52
53 **HB06-1126** by Representative(s) Green, Benefield, Butcher, Coleman,
54 Frangas, Garcia, Lindstrom, Solano; also Senator(s)
55 Tochtrop--Concerning the safety of children's products.

56

1 Amendment No. 1, Health and Human Services Report, dated February
2 6, 2006, and placed in member's bill file; Report also printed in House
3 Journal, February 7, pages 243-244.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.
7 (For change in action, see Amendments to Report, page 391.)

8
9 **HB06-1076** by Representative(s) Penry; also Senator(s) Traylor--
10 Concerning immunity from civil liability under the
11 "Volunteer Service Act".
12

13 Amendment No. 1, Judiciary Report, dated February 7, 2006, and placed
14 in member's bill file; Report also printed in House Journal, February 8,
15 pages 256-257.

16
17 Amendment No. 2, by Representative Penry.

18
19 Amend the Judiciary Committee Report, dated February 7, 2006, page 1,
20 strike lines 1 through 11 and substitute the following:

21
22 "Amend printed bill, page 2, line 2, strike "(a) (III)," and substitute "(a),";

23
24 page 6, strike lines 8 through 23 and substitute the following:

25 "~~(I) The volunteer was acting in good faith and within the scope~~
26 ~~of such volunteer's official functions and duties for a nonprofit~~
27 ~~organization, a nonprofit corporation, or a hospital~~ IS IMMUNE FROM
28 LIABILITY FOR THE ACT OR OMISSION UNDER THE FEDERAL "VOLUNTEER
29 PROTECTION ACT", 42 U.S.C. SEC. 14501 ET SEQ.;

30
31 (II) The damage or injury was not caused by ~~willful and wanton~~
32 ~~misconduct by~~ OR OTHER CIRCUMSTANCES THAT WOULD PRECLUDE
33 IMMUNITY FOR such volunteer UNDER THE FEDERAL LAW DESCRIBED IN
34 SUBPARAGRAPH (I) OF THIS PARAGRAPH (a); and

35
36 (III) ~~The damage or injury was not caused by gross negligence or~~
37 ~~by willful and wanton misconduct by such volunteer if such volunteer is~~
38 ~~a licensed physician and~~ The physician's PERSON'S volunteer status was
39 declared before the ~~medical~~ CARE procedure PERFORMED BY THE
40 VOLUNTEER occurred and the patient receiving the volunteered ~~medical~~
41 care, or the patient's representative, agreed in writing beforehand to
42 accept such volunteered care after disclosure that the patient's right to sue
43 the volunteer ~~physician~~ will be subject to the limitations of this section.";

44
45 line 12 of the committee report, strike ""(b)" and substitute "(b)".

46
47 Page 2 of the committee report, line 9, strike "EXEMPT" and substitute
48 "THAT IS IMMUNE";

49
50 line 10, strike "FOR NEGLIGENCE UNDER THIS SECTION." and substitute
51 "UNDER THIS SUBSECTION (4).".

52
53 As amended, ordered engrossed and placed on the Calendar for Third
54 Reading and Final Passage.

55
56

1 **HB06-1165** by Representative(s) Hodge; also Senator Tapia--
2 Concerning the authority of local governments to install
3 safety measures at highway-rail grade crossings in order to
4 create railroad quiet zones in compliance with federal law.
5

6 Amendment No. 1, Local Government Report, dated February 7, 2006,
7 and placed in member's bill file; Report also printed in House Journal,
8 February 8, pages 260-261.
9

10 As amended, ordered engrossed and placed on the Calendar for Third
11 Reading and Final Passage.
12

13 **HB06-1181** by Representative(s) Cerbo; also Senator(s) Tochtrop--
14 Concerning county sheriffs, and, in connection therewith,
15 limiting the power of a sheriff to revoke the appointment
16 of a deputy at will and modifying the liability of a sheriff
17 for certain acts.
18

19 Ordered engrossed and placed on the Calendar for Third Reading and
20 Final Passage.
21

22 **HB06-1183** by Representative(s) Berens; also Senator(s) Tapia--
23 Concerning land surveyors.
24

25 Amendment No. 1, Local Government Report, dated February 7, 2006,
26 and placed in member's bill file; Report also printed in House Journal,
27 February 8, pages 261-262.
28

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

32 **HB06-1010** by Representative(s) Weissmann, Penry, Benefield, Curry,
33 Garcia, Hodge, Marshall, McFadyen, Merrifield, Plant,
34 Todd; also Senator(s) Hanna--Concerning state
35 participation in government procurement rules of an
36 international trade agreement.
37

38 Ordered engrossed and placed on the Calendar for Third Reading and
39 Final Passage.
40

41 **HB06-1105** by Representative(s) McCluskey; also Senator Tapia--
42 Concerning the pilot program for the director of research
43 of the legislative council to use a dynamic model to
44 analyze the economic impact of bills that make a tax
45 policy change.
46

47 Ordered engrossed and placed on the Calendar for Third Reading and
48 Final Passage.
49

50
51 **HB06-1118** by Representative(s) Larson; also Senator Isgar--
52 Concerning actions taken a against person licensed to
53 operate a commercial motor vehicle that deny the person
54 the privilege of operating such motor vehicle.
55

56 Amendment No. 1, Transportation & Energy Report, dated February 2,

1 2006, and placed in member's bill file; Report also printed in House
2 Journal, February 3, pages 212-213.

3

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

6

7 **HB06-1132** by Representative(s) Hoppe; also Senator Isgar--
8 Concerning the disposition of animals impounded under
9 animal cruelty laws, and, in connection therewith,
10 authorizing the sale of such animals with the proceeds
11 applied to the cost of care of such impounded animals,
12 authorizing court hearings on the reasonableness of costs
13 associated with bonds to prevent the disposition of an
14 impounded animal, and authorizing the recovery of such
15 costs through restitution in criminal cases.

16

17 Amendment No. 1, Judiciary Report, dated February 2, 2006, and placed
18 in member's bill file; Report also printed in House Journal, February 3,
19 pages 208-209.

20

21 As amended, referred to the Committee on Appropriations.

22

23 **HB06-1160** by Representative(s) Butcher; also Senator(s) Tapia--
24 Concerning the inclusion of certain schools in the second
25 chance program for problem students.

26

27 Amendment No. 1, Education Report, dated February 9, 2006, and placed
28 in member's bill file; Report also printed in House Journal, February 10,
29 page 294.

30

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

33

34 **HB06-1122** by Representative(s) Todd, Benefield, Berens, Decker,
35 Hodge, Lindstrom; also Senator(s) Spence--Concerning
36 procedures relating to missing persons.

37

38 Amendment No. 1, Judiciary February 9 Report, dated February 10,
39 2006, and placed in member's bill file; Report also printed in House
40 Journal, February 10, pages 297-298.

41

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

44

45 **HB06-1169** by Representative(s) Decker, Cloer, Harvey, Todd; also
46 Senator Bacon--Concerning protecting personal
47 information in domestic case filings that are open to
48 inspection by the public.

49

50 Amendment No. 1, Judiciary Report, dated February 9, 2006, and placed
51 in member's bill file; Report also printed in House Journal, February 10,
52 page 302.

53

54 Amendment No. 2, by Representative Carroll M.

55

56 Amend printed bill, page 2, line 12, strike "PARTY;" and substitute
"PARTY AND ALL ATTACHMENTS THERETO;"

1 Page 3, line 6, strike "AND";

2

3 line 13, strike "TIME." and substitute "TIME; AND";

4

5 after line 13, insert the following:

6 "(g) ANY PORTION OF ANY DOCUMENT CONTAINING A PARTY'S
7 SOCIAL SECURITY NUMBER; BANK, SAVINGS, RETIREMENT, OR BROKERAGE
8 ACCOUNT NUMBERS; CREDIT CARD AND DEBIT CARD NUMBERS; DRIVER'S
9 LICENSE NUMBER; GOVERNMENT-ISSUED IDENTIFICATION NUMBERS; OR
10 PASSPORT NUMBERS."

11

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

14

15 **HB06-1020** by Representative(s) Rose; also Senator Entz--Concerning
16 the issuance of special license plates for motor vehicles
17 valued by collectors due to their early date of manufacture.

18

19 Amendment No. 1, Transportation & Energy Report, dated February 9,
20 2006, and placed in member's bill file; Report also printed in House
21 Journal, February 10, page 302.

22

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

25

26 **HB06-1107** by Representative(s) Benefield, Cloer, Green, Larson,
27 Lindstrom, McFadyen, Solano, Sullivan, Vigil; also
28 Senator(s) Shaffer--Concerning the requirements
29 pertaining to the issuance of instruction permits to minors.

30

31 Amendment No. 1, Transportation & Energy Report, dated February 8,
32 2006, and placed in member's bill file; Report also printed in House
33 Journal, February 10, pages 303-304.

34

35 Amendment No. 2, by Representative Benefield.

36

37 Amend the Transportation and Energy Committee Report, dated February
38 8, 2006, page 1, strike line 6 and substitute the following:

39

40 "line 16, after "driver," insert "WHO HOLDS A VALID COLORADO DRIVER'S
41 LICENSE AND IS";";

42

43 line 11, strike "LICENSED COLORADO";

44

45 line 12, after "DRIVER," insert "WHO HOLDS A VALID COLORADO DRIVER'S
46 LICENSE AND IS";

47

48 line 15, strike "LICENSED COLORADO DRIVER," and substitute "DRIVER,
49 WHO HOLDS A VALID COLORADO DRIVER'S LICENSE AND IS".

50

51 Page 2, strike line 24, and substitute the following:

52

53 "line 26, after "driver," insert "WHO HOLDS A VALID COLORADO DRIVER'S
54 LICENSE AND IS".

55

56 Amendment No. 3, by Representative Benefield.

1 Amend printed bill, page 3, line 11, strike "COSIGNED" and substitute
 2 "SIGNED";
 3
 4 line 25, strike "BE A COLORADO LICENSED DRIVER" and substitute "HOLD
 5 A VALID COLORADO DRIVER'S LICENSE AND BE".
 6
 7 Page 4, line 25, strike "enrolled" and substitute "enrolled, ATTENDING,
 8 AND PARTICIPATING" and strike "course," and substitute "course THAT
 9 INCLUDES A MINIMUM OF SIX HOURS OF DRIVING-BEHIND-THE-WHEEL
 10 INSTRUCTION WITH A CERTIFIED DRIVER EDUCATION INSTRUCTOR,".
 11
 12 Page 5, line 1, strike "excluding" and substitute "~~excluding~~ INCLUDING";
 13
 14 line 6, after "SEAT", insert "OF THE MOTOR VEHICLE, OR, IN THE CASE OF
 15 A MOTORCYCLE OR MOTOR-DRIVEN CYCLE,";
 16
 17 line 19, strike "WRITTEN OR PRINTED";
 18
 19 strike line 20 and substitute "AFFIDAVIT OF LIABILITY REQUIRED BY
 20 SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (1),";
 21
 22 line 24, strike "BE A COLORADO LICENSED DRIVER" and substitute "HOLD
 23 A VALID COLORADO DRIVER'S LICENSE AND BE".
 24
 25 Page 7, line 12, strike "excluding" and substitute "~~excluding~~ INCLUDING";
 26
 27 line 17, after "SEAT", insert "OF THE MOTOR VEHICLE, OR, IN THE CASE OF
 28 A MOTORCYCLE OR MOTOR-DRIVEN CYCLE,";
 29
 30 line 26, strike "BE A COLORADO LICENSED DRIVER" and substitute "HOLD
 31 A VALID COLORADO DRIVER'S LICENSE AND BE".
 32

33 As amended, ordered engrossed and placed on the Calendar for Third
 34 Reading and Final Passage.
 35
 36

37 **HB06-1108** by Representative(s) Benefield, Borodkin, Butcher,
 38 Carroll M., Green, Marshall, McGihon, Merrifield,
 39 Solano, Todd, Vigil, Witwer, Larson, Massey; also
 40 Senator(s) Shaffer, Williams, Windels--Concerning a
 41 requirement that courts order minors under eighteen years
 42 of age who are convicted of traffic violations other than
 43 traffic infractions to attend a driver improvement school.
 44

45 Amendment No. 1, by Representative Weissmann.
 46

47 Amend printed bill, Page 3, line 9, after "SCHOOL.", insert "THE COURTS
 48 SHALL MAKE AVAILABLE INFORMATION ON SCHOLARSHIPS AND OTHER
 49 FINANCIAL ASSISTANCE AVAILABLE TO HELP MINORS OR THEIR PARENTS
 50 OFFSET THE COSTS OF DRIVER IMPROVEMENT SCHOOL."
 51

52 As amended, ordered engrossed and placed on the Calendar for Third
 53 Reading and Final Passage.
 54

55 **HB06-1162** by Representative(s) May M.; also Senator(s) Williams--
 56 Concerning restrictions on minor drivers under eighteen

1 years of age.

2
3 Ordered engrossed and placed on the Calendar for Third Reading and
4 Final Passage.

5
6 **HB06-1210** by Representative(s) Witwer; also Senator(s) Tochtrop--
7 Concerning the addition of a new member to the Colorado
8 recreational trails committee who represents the state
9 board of the great outdoors Colorado trust fund.

10
11 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
12 dated February 13, 2006, and placed in member's bill file; Report also
13 printed in House Journal, February 14, page 332.

14
15 As amended, ordered engrossed and placed on the Calendar for Third
16 Reading and Final Passage.

17
18 **HB06-1239** by Representative(s) Hoppe; also Senator(s) Isgar--
19 Concerning continuation of the "Pesticide Applicators'
20 Act".

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

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

28
29 Representatives Green and Witwer moved to amend the Report of the
30 Committee of the Whole to show that **HB06-1126**, as amended, was laid
31 over until February 20, 2006.

32
33 The amendment was declared **passed** by the following roll call vote:

34
35

	YES	62	NO	02	EXCUSED	01	ABSENT	00
36	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
37	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
38	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
39	Borodkin	Y	Garcia	Y	Lundberg	N	Rose	Y
40	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
41	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
42	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
43	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
44	Carroll M	Y	Hefley	E	McCluskey	Y	Stengel	N
45	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
46	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
47	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
48	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
49	Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
50	Crane	Y	King	Y	Penry	Y	White	Y
51	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
52							Speaker	Y

53
54

55 Representative M. Carroll moved to amend the Report of the Committee
56 of the Whole to show that **HB06-1118**, was laid over until February 20,

1 2006.

2

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

4

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YES	16	NO	48	EXCUSED	01	ABSENT	00
Balmer	N	Decker	N	Larson	N	Pommer	N
Benefield	N	Frangas	N	Lindstrom	Y	Ragsdale	N
Berens	N	Gallegos	Y	Liston	N	Riesberg	N
Borodkin	N	Garcia	N	Lundberg	N	Rose	N
Boyd	N	Gardner	N	Madden	Y	Schultheis	N
Buescher	N	Green	N	Marshall	Y	Solano	Y
Butcher	Y	Hall	N	Massey	N	Soper	N
Cadman	N	Harvey	N	May	N	Stafford	N
Carroll M	Y	Hefley	E	McCluskey	N	Stengel	N
Carroll T	Y	Hodge	N	McFadyen	N	Sullivan	N
Cerbo	Y	Hoppe	N	McGihon	N	Todd	N
Clapp	N	Jahn	N	McKinley	Y	Vigil	N
Cloer	N	Judd	Y	Merrifield	N	Weissmann	Y
Coleman	N	Kerr	N	Paccione	N	Welker	N
Crane	Y	King	Y	Penry	N	White	Y
Curry	Y	Knoedler	N	Plant	N	Witwer	N
						Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB06-1079 amended, 1126 amended, 1076 amended, 1165 amended, 1181, 1183 amended, 1010, 1105, 1118 amended, 1160 amended, 1122 amended, 1169 amended, 1020 amended, 1107 amended, 1108 amended, 1162 amended, 1210 amended, 1239.**

Referred to Committee indicated: **HB06-1132 amended--**Appropriations.

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

YES	64	NO	00	EXCUSED	01	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	Y	Rose	Y
Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
Buescher	Y	Green	Y	Marshall	Y	Solano	Y
Butcher	Y	Hall	Y	Massey	Y	Soper	Y
Cadman	Y	Harvey	Y	May	Y	Stafford	Y
Carroll M	Y	Hefley	E	McCluskey	Y	Stengel	Y
Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y
Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
Coleman	Y	Kerr	Y	Paccione	Y	Welker	Y
Crane	Y	King	Y	Penry	Y	White	Y

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

3
4
5
6 On motion of Representative Madden, **SB06-009** was made Special
7 Orders on Friday, February 17, 2006, at 12:08 p.m.

8
9
10 The hour of 12:08 p.m., having arrived, on motion of Representative
11 Plant, the House resolved itself into Committee of the Whole for
12 consideration of Special Orders and he was called to the Chair to act as
13 Chairman.

14 15 16 **SPECIAL ORDERS--SECOND READING OF BILL**

17
18 The Committee of the Whole having risen, the Chairman reported the title
19 of the following bill had been read (reading at length had been dispensed
20 with by unanimous consent), the bill considered and action taken thereon
21 as follows:

22
23 (Amendments to the committee amendment are to the printed committee
24 report which was printed and placed in the members' bill file.)

25
26 **SB06-009** by Senator(s) Mitchell, Grossman; also Representative(s)
27 McGihon, Carroll T., Witwer--Concerning a requirement
28 that discussions occurring in executive sessions of public
29 bodies be electronically recorded.

30
31 Ordered revised and placed on the Calendar for Third Reading and Final
32 Passage.

33 34 35 36 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

37
38 Passed Second Reading: **SB06-009**.

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

45	YES	63	NO	00	EXCUSED	02	ABSENT	00
46	Balmer	Y	Decker	Y	Larson	Y	Pommer	Y
47	Benefield	Y	Frangas	Y	Lindstrom	Y	Ragsdale	Y
48	Berens	Y	Gallegos	Y	Liston	Y	Riesberg	Y
49	Borodkin	Y	Garcia	Y	Lundberg	Y	Rose	Y
50	Boyd	Y	Gardner	Y	Madden	Y	Schultheis	Y
51	Buescher	Y	Green	Y	Marshall	Y	Solano	Y
52	Butcher	Y	Hall	Y	Massey	Y	Soper	Y
53	Cadman	Y	Harvey	Y	May	Y	Stafford	Y
54	Carroll M	Y	Hefley	E	McCluskey	Y	Stengel	Y
55	Carroll T	Y	Hodge	Y	McFadyen	Y	Sullivan	Y
56	Cerbo	Y	Hoppe	Y	McGihon	Y	Todd	Y

1	Clapp	Y	Jahn	Y	McKinley	Y	Vigil	Y
2	Cloer	Y	Judd	Y	Merrifield	Y	Weissmann	Y
3	Coleman	Y	Kerr	Y	Paccione	E	Welker	Y
4	Crane	Y	King	Y	Penry	Y	White	Y
5	Curry	Y	Knoedler	Y	Plant	Y	Witwer	Y
6							Speaker	Y

7
8
9
10 **NOTICE OF INTENT TO RECONSIDER HB06-1144**

11
12 Having voted on the prevailing side, Representative Cloer served notice
13 of intent to reconsider the last House action (Third Reading) on
14 HB06-1144.

15
16
17 House in recess. House reconvened.
18
19

20
21 **REPORTS OF COMMITTEES OF REFERENCE**

22
23 **APPROPRIATIONS**

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

26
27 **HB06-1072** be amended as follows, and as so amended, be referred to
28 the Committee of the Whole with favorable
29 recommendation:
30

31 Amend printed bill, page 4, after line 2, insert the following:

32
33 **"SECTION 4. Appropriation.** In addition to any other
34 appropriation, there is hereby appropriated, out of any moneys in the
35 license plate cash fund created in section 42-3-301 (1) (b), Colorado
36 Revised Statutes, not otherwise appropriated, to the department of
37 revenue, for allocation to the motor vehicle division, for the fiscal year
38 beginning July 1, 2006, the sum of one thousand six hundred eight dollars
39 (\$1,608), or so much thereof as may be necessary, for the implementation
40 of this act."
41

42 Renumber succeeding sections accordingly.
43

44 Page 1, line 106, strike "PLATE." and substitute "PLATE, AND MAKING AN
45 APPROPRIATION IN CONNECTION THEREWITH."
46
47

48
49 **HB06-1086** be amended as follows, and as so amended, be referred to
50 the Committee of the Whole with favorable
51 recommendation:
52

53 Amend printed bill, page 21, after line 25, insert the following:

54
55 **"SECTION 13. Appropriation.** In addition to any other
56 appropriation, there is hereby appropriated, out of any moneys in the

1 department of state cash fund created in section 24-21-104 (3) (b),
2 Colorado Revised Statutes, not otherwise appropriated, to the department
3 of state, for the fiscal year beginning July 1, 2006, the sum of two
4 hundred sixty-five thousand five hundred fifty-seven dollars (\$265,557)
5 and 0.5 FTE, or so much thereof as may be necessary, for the
6 implementation of this act."

7
8 Renumber succeeding sections accordingly.

9
10 Page 1, line 102, strike "STATE." and substitute "STATE, AND MAKING AN
11 APPROPRIATION THEREFOR."

12
13
14
15 **HB06-1127** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:

18
19 Amend printed bill, page 27, after line 17, insert the following:

20
21 **"SECTION 5. Appropriation.** (1) In addition to any other
22 appropriation, there is hereby appropriated, out of any moneys in the
23 division of registrations cash fund created in section 24-34-105 (2) (b) (I),
24 Colorado Revised Statutes, not otherwise appropriated, to the department
25 of regulatory agencies, for allocation to the executive director's office, for
26 legal services, for the fiscal year beginning July 1, 2006, the sum of
27 thirty-four thousand one hundred fifty-eight dollars (\$34,158), or so much
28 thereof as may be necessary, for the implementation of this act.

29
30 (2) In addition to any other appropriation, there is hereby
31 appropriated, out of any moneys in the division of registrations cash fund
32 created in section 24-34-105 (2) (b) (I), Colorado Revised Statutes, not
33 otherwise appropriated, to the department of regulatory agencies, for
34 allocation to the division of registrations, for regulation of athletic
35 trainers, for the fiscal year beginning July 1, 2006, the sum of one
36 hundred twenty-six thousand nine hundred seventy-nine dollars
37 (\$126,979) and 1.2 FTE, or so much thereof as may be necessary, for the
38 implementation of this act.

39
40 (3) In addition to any other appropriation, there is hereby
41 appropriated to the department of law, for the fiscal year beginning July
42 1, 2006, the sum of thirty-four thousand one hundred fifty-eight dollars
43 (\$34,158) and 0.3 FTE, or so much thereof as may be necessary, for the
44 provision of legal services to the department of regulatory agencies
45 related to the implementation of this act. Said sum shall be from cash
46 funds exempt received from the division of registrations out of the
47 appropriation made in subsection (1) of this section."

48
49 Renumber succeeding sections accordingly.

50
51 Page 1, line 101, strike "TRAINERS." and substitute "TRAINERS, AND
52 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

53
54
55
56 **HB06-1147** be amended as follows, and as so amended, be referred to

1 the Committee of the Whole with favorable
2 recommendation:
3

4 Amend printed bill, page 7, after line 2, insert the following:
5

6 **"SECTION 4. Appropriation.** (1) In addition to any other
7 appropriation, there is hereby appropriated, out of any moneys in the
8 public utilities commission fixed utility fund created in section 40-2-114,
9 Colorado Revised Statutes, not otherwise appropriated, to the department
10 of regulatory agencies, for allocation to the executive director's office, for
11 the fiscal year beginning July 1, 2006, the sum of twelve thousand eight
12 hundred ninety (\$12,890), or so much thereof as may be necessary, for
13 the implementation of this act.
14

15 (2) In addition to any other appropriation, there is hereby
16 appropriated, out of any moneys in the public utilities commission fixed
17 utility fund created in section 40-2-114, Colorado Revised Statutes, not
18 otherwise appropriated, to the department of regulatory agencies, for
19 allocation to the public utilities commission, for the fiscal year beginning
20 July 1, 2006, the sum of seventy-one thousand six hundred thirty-two
21 dollars (\$71,632) and 0.8 FTE, or so much thereof as may be necessary,
22 for the implementation of this act.
23

24 (3) In addition to any other appropriation, there is hereby
25 appropriated to the department of law, for the fiscal year beginning July
26 1, 2006, the sum of twelve thousand eight hundred ninety dollars
27 (\$12,890), or so much thereof as may be necessary, for the provision of
28 legal services to the department of regulatory agencies related to the
29 implementation of this act. Said sum shall be from cash funds exempt
30 received from the public utilities commission out of the appropriation
31 made in subsection (1) of this section."
32

33 Renumber succeeding section accordingly.
34

35 Page 1, line 101, strike "EFFICIENCY." and substitute "EFFICIENCY, AND
36 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."
37

38
39
40 **HB06-1167** be postponed indefinitely.
41

42
43 **HB06-1185** 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 Transportation and Energy Committee Report, dated February
48 8, 2006, page 12, after line 38, insert the following:
49

50 **"SECTION 7. No appropriation.** The general assembly has
51 determined that this act can be implemented within existing
52 appropriations, and therefore no separate appropriation of state moneys
53 is necessary to carry out the purposes of this act."
54

55 Renumber succeeding sections accordingly.
56

1 **BUSINESS AFFAIRS & LABOR**

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

4
5 **HB06-1178** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:

8
9 Amend printed bill, strike everything below the enacting clause and
10 substitute the following:

11
12 **"SECTION 1. Repeal.** Part 6 of article 7 of title 42, Colorado
13 Revised Statutes, is repealed.

14
15 **SECTION 2. Repeal.** 10-4-615, Colorado Revised Statutes, is
16 repealed.

17
18 **SECTION 3. Repeal.** 24-34-104 (37) (g), Colorado Revised
19 Statutes, is repealed as follows:

20
21 **24-34-104. General assembly review of regulatory agencies and**
22 **functions for termination, continuation, or reestablishment.** (37) The
23 following agencies, functions, or both, shall terminate on July 1, 2006:

24
25 (g) ~~The motorist insurance identification database program,~~
26 ~~created in section 42-7-604, C.R.S.;~~

27
28 **SECTION 4.** 42-2-127.7 (3), Colorado Revised Statutes, is
29 amended to read:

30
31 **42-2-127.7. Authority to suspend driver's license - uninsured**
32 **motorists - legislative declaration.** (3) Whenever a law enforcement
33 officer determines ~~by checking the motorist insurance identification~~
34 ~~database created in section 42-7-604, and by any other means authorized~~
35 ~~by law,~~ that a driver violates section 42-4-1409 by not having a
36 complying policy or certificate of self-insurance in full force and effect
37 as required by sections 10-4-619 and 10-4-624, C.R.S., the law
38 enforcement officer making such determination shall forward to the
39 department an affidavit that includes a statement of the officer's probable
40 cause that the person committed such violation, and a copy of the citation
41 and complaint, if any, filed with the court. The affidavit shall be dated,
42 signed, and sworn to by the law enforcement officer under penalty of
43 perjury, but need not be notarized or sworn to before any other person.

44
45 **SECTION 5.** 42-3-105 (1) (d) (I), Colorado Revised Statutes, is
46 amended to read:

47
48 **42-3-105. Application for registration - tax.** (1) (d) (I) The
49 department or its designated agents shall not register a motor vehicle
50 unless the applicant has a complying motor vehicle insurance policy
51 pursuant to part 6 of article 4 of title 10, C.R.S., or a certificate of
52 self-insurance in full force and effect as required by sections 10-4-619
53 and 10-4-624, C.R.S. The requirements of this paragraph (d) apply only
54 to motor vehicles classified as Class C personal property under section
55 42-3-106 (1) (c), to light trucks that do not exceed sixteen thousand
56 pounds empty weight and that are not insured through a commercial line

1 of insurance, and to sports utility vehicles that are classified as Class B
 2 personal property under section 42-3-106 (1) (b). The applicant shall
 3 provide the department or its designated agents with the proof of
 4 insurance certificate or insurance identification card provided to the
 5 applicant by the applicant's insurer pursuant to section 10-4-604.5,
 6 C.R.S., or provide proof of insurance in such other media as is authorized
 7 by the department. ~~Nothing in this paragraph (d) shall be interpreted to~~
 8 ~~preclude the department from electronically transmitting insurance~~
 9 ~~information to designated agents pursuant to section 42-7-604 for the~~
 10 ~~purpose of ensuring compliance with mandatory insurance requirements.~~

11
 12 **SECTION 6. Repeal.** 42-3-304 (1) and (18) (d), Colorado
 13 Revised Statutes, are repealed.

14
 15 **SECTION 7. Repeal.** 42-4-1410, Colorado Revised Statutes, is
 16 repealed.

17
 18 **SECTION 8. Repeal.** 42-7-301.5, Colorado Revised Statutes, is
 19 repealed.

20
 21 **SECTION 9.** 43-4-205 (5.5) (b), (5.5) (c), (5.5) (d), and (5.5) (f),
 22 Colorado Revised Statutes, are amended to read:

23
 24 **43-4-205. Allocation of fund.** (5.5) The following highway users
 25 tax fund revenues shall be allocated and expended in accordance with the
 26 formula specified in subsection (5) of this section:

27
 28 (b) Revenues from motor vehicle license plate, identification
 29 plate, and placard fees that are credited to the fund pursuant to sections
 30 ~~42-3-113 (6), 42-3-114 (9), 42-3-115 (4) (a), 42-3-115.5 (1) (c) (I),~~
 31 ~~42-3-115.7 (5) (a), 42-3-115.8 (5) (a), 42-3-116.5 (6) (a), 42-3-116.7 (5),~~
 32 ~~42-3-117 (5) (a), 42-3-121 (2) (d), 42-3-122 (4), 42-3-124 (3) (b), and~~
 33 ~~42-4-202 (4) (d), C.R.S.;~~ 42-3-301 (1), 42-3-211 (7), 42-3-212 (4),
 34 42-3-213 (1) (b), 42-3-214 (4), 42-3-215 (4) (a), 42-3-216 (5) (a),
 35 42-3-217 (4), 42-3-218 (4), 42-3-204 (2) (e), 42-3-207 (4), 42-3-203 (3)
 36 (b), AND 42-4-202 (4) (d), C.R.S.;

37
 38 (c) Revenues from driver's license fees, motor vehicle title and
 39 registration fees, and motorist insurance identification fees that are
 40 credited to the fund pursuant to sections ~~42-2-132 (4) (b), 42-3-134 (14),~~
 41 ~~(15), (17) (c), and (26) (d) (I), and 42-3-134.5 (14) and (15), C.R.S.;~~
 42 42-2-132 (4) (b), 42-3-304 (18) (d) (I), 42-3-305 (6), (7), AND (8) (c),
 43 AND 42-3-306 (6) AND (7), C.R.S.;

44
 45 (d) Revenues from the imposition of passenger-mile taxes on
 46 vehicles, any additional penalties or interest imposed thereon, or any fee
 47 or payment substituted therefor that is imposed pursuant to sections
 48 ~~42-3-134 (21), 42-3-134.5 (21) (b) and (21) (c), and 42-3-136 (5), C.R.S.;~~
 49 ~~and credited to the fund pursuant to section 43-4-203 (1) (c);~~ 42-3-304
 50 (13), 42-3-306 (11) (a) AND (11) (b), AND 42-3-308 (5), C.R.S., AND
 51 CREDITED TO THE FUND PURSUANT TO SECTION 43-4-203 (1) (c);

52
 53 (f) Revenues from fees that are credited to the fund pursuant to
 54 sections 42-2-406 (3) and (6) and ~~42-3-144 (1)~~ 42-3-311 (1), C.R.S., and
 55 that exceed the amount of appropriations made from the fund pursuant to
 56 those sections for the purpose of defraying specified administrative

1 expenses;

2

3 **SECTION 10. Effective date.** This act shall take effect July 1,
4 2006.

5

6 **SECTION 11. Safety clause.** The general assembly hereby
7 finds, determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, and safety."

9

10 Page 1, line 103, strike "INSURED, AND, IN CONNECTION" and substitute
11 "INSURED.";

12

13 strike lines 104 and 105.

14

15

16

17

18 **EDUCATION**

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

21

22 **HB06-1240** be amended as follows, and as so amended, be referred to
23 the Committee of the Whole with favorable
24 recommendation:

25

26 Amend printed bill, page 7, line 23, strike "TWO" and substitute "THREE".

27

28

29

30 **HB06-1260** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:

33

34 Amend printed bill, page 2, strike lines 9 through 11 and substitute the
35 following:

36

37 "transfer. The director OF COLLEGEINVEST shall be ~~appointed by~~ the
38 ~~executive~~ director of the ~~commission~~ DIVISION."

39

40 Page 4, after line 26, insert the following:

41 **"SECTION 5.** The introductory portion to 23-3.1-104 (1) (a),
42 Colorado Revised Statutes, is amended to read:

43

44 **23-3.1-104. Duties and powers of division.** (1) The division
45 shall:

46 (a) Promulgate rules and regulations for administration of the
47 Colorado college access network STUDENTLOANPROGRAM established by
48 this article, including but not limited to the following:"

49

50 Renumber succeeding sections accordingly.

51

52 Page 6, strike lines 24 and 25 and substitute the following:

53

54 "authority, AND SHALL ALSO BE DIRECTOR OF THE STUDENT LOAN
55 DIVISION. The director, with the approval of the executive".

56

1 **HB06-1276** be postponed indefinitely.

2

3

4

5

6 **FINANCE**

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

9

10 **HB06-1206** be postponed indefinitely.

11

12

13 **HB06-1298** be postponed indefinitely.

14

15

16 **HB1320** be referred to the Committee of the Whole with favorable
17 recommendation.

18

19

20

21

22 **JUDICIARY**

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

25

26 **HB06-1071** be amended as follows, and as so amended, be referred to
27 the Committee of the Whole with favorable
28 recommendation:

29 Amend printed bill, page 2, strike lines 2 through 21.

30

31 Renumber succeeding sections accordingly.

32

33 Page 1, strike line 102 and substitute the following:

34

35 "THEREWITH,";

36

37 line 103, strike "NEGLECT PROCEEDINGS AND".

38

39

40

41 **HB06-1189** be referred to the Committee of the Whole with favorable
42 recommendation.

43

44

45 **HB06-1190** be amended as follows, and as so amended, be referred to
46 the Committee of the Whole with favorable
47 recommendation:

48

49 Amend printed bill, page 2, strike line 22 and substitute the following:

50

51 "(b) FOR A DEFENDANT WHO HAS BEEN ARRESTED FOR A FELONY
52 OFFENSE, A CONDITION OF BAIL BOND SHALL BE THAT".

53

54 Page 4, strike line 25 and substitute the following:

55 "(d) FOR A DEFENDANT WHO HAS BEEN CONVICTED OF A FELONY
56 OFFENSE, A CONDITION OF BAIL BOND SHALL BE THAT THE COURT".

1 Page 5, strike lines 6 through 27.

2

3 Page 6, strike lines 1 through 13 and substitute the following:

4

5 "SECTION 4. 18-1.3-204, Colorado Revised Statutes, is
6 amended BY THE ADDITION OF A NEW SUBSECTION to read:

7

8 **18-1.3-204. Conditions of probation.** (1.5) IF THE DEFENDANT
9 IS BEING SENTENCED TO PROBATION AS A RESULT OF A CONVICTION OF A
10 FELONY OFFENSE, A CONDITION OF PROBATION SHALL BE THAT THE COURT
11 SHALL REQUIRE THE DEFENDANT TO EXECUTE OR SUBSCRIBE A WRITTEN
12 PRIOR WAIVER OF EXTRADITION STATING THAT THE DEFENDANT CONSENTS
13 TO EXTRADITION TO THIS STATE AND WAIVES ALL FORMAL PROCEEDINGS
14 IN THE EVENT THAT HE OR SHE IS ARRESTED IN ANOTHER STATE WHILE AT
15 LIBERTY ON SUCH BAIL BOND AND ACKNOWLEDGING THAT HE OR SHE
16 SHALL NOT BE ADMITTED TO BAIL IN ANY OTHER STATE PENDING
17 EXTRADITION TO THIS STATE."

18

19 Renumber succeeding sections accordingly.

20

21

22

23 **HB06-1237** be referred to the Committee of the Whole with favorable
24 recommendation.

25

26

27 **HB06-1267** be referred to the Committee of the Whole with favorable
28 recommendation.

29

30

31

PRINTING REPORT

32

33 The Chief Clerk reports the following bill has been correctly printed:
34 **HB06-1339**.

35

36

37

INTRODUCTION OF BILLS First Reading

38

39

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

42

43 **HB06-1340** by Representative(s) Benefield, Marshall, Borodkin; also
44 Senator(s) Taylor--Concerning an exemption for federally
45 regulated mining operations from the Colorado
46 "Explosives Act".

47 Committee on Business Affairs and Labor

48

49 **HB06-1341** by Representative(s) McFadyen; also Senator(s) Takis--
50 Concerning the unlawful use of commercial driver's
51 licenses.

52 Committee on Transportation & Energy

53

54 **HB06-1342** by Representative(s) Cerbo; also Senator(s) Fitz-Gerald--
55 Concerning enforcement of wage laws.

56 Committee on Business Affairs and Labor

1 **HB06-1343** by Representative(s) Crane--Concerning measures to
2 ensure that an illegal alien does not perform work on a
3 public contract for services.
4 Committee on State, Veterans, & Military Affairs
5

6 **SB06-051** by Senator(s) Tupa; also Representative(s) Weissmann--
7 Concerning benefits that may be accepted by certain
8 public officials, and, in connection therewith, prohibiting
9 certain public officials from accepting monetary gifts.
10 Committee on Judiciary
11

INTRODUCTION OF RESOLUTION

12
13
14
15
16 The following resolution was read by title and laid over one day under the
17 rules:
18

19 **HR06-1005** by Representative(s) Solano, Green, Rose, Gallegos,
20 Carroll M., Cerbo, Hefley, Jahn, Madden, McFadyen,
21 McKinley, Merrifield, Plant, Ragsdale, Riesberg, Todd,
22 Weissmann--Concerning continuation of federal funding
23 for the National Renewable Energy Laboratory.
24

LAY OVER OF CALENDAR ITEMS

25
26
27
28 On motion of Representative Garcia, the following items on the Calendar
29 were laid over until February 20, retaining place on Calendar:
30

31 Consideration of General Orders--**HB06-1126 amended, 1309, 1159,**
32 **1080, 1102, 1073, 1187, 1195, 1319, 1285, 1288, 1177, 1255, 1265,**
33 **1090, 1123, 1179, 1242, 1250, 1254, 1268.**

34 Consideration of Resolutions--**SJR06-002, HJR06-1013.**

35 Consideration of Senate Amendments--**HB06-1012.**
36

37
38
39 On motion of Representative Marshall, the House adjourned until
40 10:00 a.m., February 20, 2006.
41

42 Approved:
43 ANDREW ROMANOFF,
44 Speaker

45 Attest:
46 MARILYN EDDINS,
47 Chief Clerk