

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Fourteenth Legislative Day

Tuesday, January 26, 2016

1 Prayer by Father Leo Weber, Arrupe Jesuit High School, Denver.

2

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

4

5 Pledge of Allegiance led by Isabella Leonard, Mary Kate Leonard, John
6 Leonard, Golden View Classical Academy, Golden, Andrew Leonard,
7 Addenbrooke Classical Academy, Lakewood.

8

9 The roll was called with the following result:

10

11 Present--63.

12 Excused--Representative(s) Becker K., Singer--2.

13 Present after roll call--Representative(s) Becker K., Singer.

14

15 The Speaker declared a quorum present.

16

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19

20 On motion of Representative Carver, the reading of the journal of
21 January 25, 2016, was declared dispensed with and approved as corrected
22 by the Chief Clerk.

23

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25

26

COMMUNICATIONS

27

28

STATE OF COLORADO

29

30 **Department of**
31 **State**

32

33 **UNITED STATES OF AMERICA** } **SS. Certificate**
34 **STATE OF COLORADO** }

35

36 I, Wayne W. Williams, Secretary of State, certify that the attached is a
37 true and exact copy of the Nomination by Vacancy Committee as filed in
38 this office on January 23, 2016 by the Republican 25th House District
39 Vacancy Committee, appointing Timothy J. Leonard to fill the vacancy
40 in the office of the Colorado State House, District 25, caused by the
41 resignation of the honorable Jon Keyser.

42

1 IN TESTIMONY WHEREOF, I have set my hand and affixed the Great
2 Seal of the State of Colorado, at the City and County of Denver this
3 twenty-fifth day of January 2016.

4
5 (Signed)
6 Wayne W. Williams
7 Secretary of State

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9

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COMMUNICATION

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STATE OF COLORADO

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**Department of
State**

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18 **UNITED STATES OF AMERICA** }
19 **STATE OF COLORADO** } **SS. Certificate**

20

21 I, Wayne W. Williams, Secretary of State, certify that the attached is a
22 true and exact copy of the Acceptance of Nomination by Vacancy
23 Committee as filed in this office on January 23, 2016 by Timothy J.
24 Leonard, accepting the appointment of the Republican 25th House
25 District Vacancy Committee to fill the vacancy in the office of Colorado
26 State House, District 25, caused by the resignation of the honorable Jon
27 Keyser.

28

29 IN TESTIMONY WHEREOF, I have set my hand and affixed the Great
30 Seal of the State of Colorado, at the City and County of Denver this
31 twenty-fifth day of January 2016.

32
33

(Signed)
Wayne W. Williams
Secretary of State

34
35
36
37

38 (Note: On January 26, at 8:30 a.m., Timothy J. Leonard, was sworn in
39 as Representative for District 25. Speaker Dickey Lee Hullinghorst
40 administered the oath of office in the Chamber of the House of
41 Representatives.)

42
43

ANNOUNCEMENT

44
45
46

47 The Speaker announced the following committee assignments effective
48 immediately:

- 49 **Public Health & Human Services**
- 50 Representative Leonard to replace Representative Van Winkle
- 51 **State, Veterans, & Military Affairs**
- 52 Representative Leonard to replace Representative Thurlow
- 53 **Local Government**
- 54 Representative Thurlow to replace Former Representative Keyser

55
56

THIRD READING OF BILL(S)--FINAL PASSAGE

The following bill(s) were considered on Third Reading. The title(s) were publicly read. Reading of the bill at length was dispensed with by unanimous consent.

HB16-1026 by Representative(s) Thurlow and Kraft-Tharp; also Senator(s) Holbert--Concerning the repeal of the department of revenue's revenue impact accounting requirements related to a group of bills enacted in 2010.

The question being "Shall the bill pass?".

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
Arndt	Y		Fields	Y	Lundeen	Y	Ryden	Y
Becker J.	Y		Foote	Y	McCann	Y	Saine	Y
Becker K.	Y		Garnett	Y	Melton	Y	Salazar	Y
Brown	Y		Ginal	Y	Mitsch Bush	Y	Sias	Y
Buck	Y		Hamner	Y	Moreno	Y	Singer	Y
Buckner	Y		Humphrey	Y	Navarro	Y	Thurlow	Y
Carver	Y		Joshi	Y	Neville P.	Y	Tyler	Y
Conti	Y		Kagan	Y	Nordberg	Y	Van Winkle	Y
Coram	Y		Klingenschmitt	Y	Pabon	Y	Vigil	Y
Court	Y		Kraft-Tharp	Y	Pettersen	Y	Willett	Y
Danielson	Y		Landgraf	Y	Primavera	Y	Williams	Y
DelGrosso	Y		Lawrence	Y	Priola	Y	Wilson	Y
Dore	Y		Lebsock	Y	Rankin	Y	Windholz	Y
Duran	Y		Lee	Y	Ransom	Y	Winter	Y
Esgar	Y		Leonard	Y	Rosenthal	Y	Wist	Y
Everett	Y		Lontine	Y	Roupe	Y	Young	Y
							Speaker	Y

Co-sponsor(s) added: Representative(s) Becker K., Brown, Buckner, Conti, DelGrosso, Lee, Mitsch Bush, Pabon, Priola, Roupe, Windholz.

HB16-1028 by Representative(s) Van Winkle, Buck, Lontine, Ginal; also Senator(s) Cooke--Concerning modifications to the statewide death and disability plan administered by the fire and police pension association.

The question being "Shall the bill pass?".

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

	YES	64	NO	1	EXCUSED	0	ABSENT	0
Arndt	Y		Fields	Y	Lundeen	Y	Ryden	Y
Becker J.	Y		Foote	Y	McCann	Y	Saine	Y
Becker K.	Y		Garnett	Y	Melton	Y	Salazar	Y
Brown	Y		Ginal	Y	Mitsch Bush	Y	Sias	Y
Buck	Y		Hamner	Y	Moreno	Y	Singer	Y
Buckner	Y		Humphrey	Y	Navarro	Y	Thurlow	Y
Carver	Y		Joshi	Y	Neville P.	Y	Tyler	Y
Conti	Y		Kagan	Y	Nordberg	Y	Van Winkle	Y

1	Coram	N	Klingenschmitt	Y	Pabon	Y	Vigil	Y
2	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
3	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
4	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
5	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
6	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
7	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
8	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
9							Speaker	Y

10 Co-sponsor(s) added: Representative(s) Court, Esgar, Fields, Kraft-Tharp,
 11 Melton, Mitsch Bush, Priola, Ransom, Rosenthal, Roupe, Saine, Salazar, Vigil,
 12 Williams, Winter

13
 14 **HB16-1038** by Representative(s) Melton and Salazar, Lontine, Ginal;
 15 also Senator(s) Jones--Concerning optional affiliation with
 16 the fire and police pension association by a county sheriff
 17 department that does not participate in social security.

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

23	YES	65	NO	0	EXCUSED	0	ABSENT	0
24	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
25	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
26	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
27	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
28	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
29	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
30	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
31	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
32	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
33	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
34	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
35	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
36	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
37	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
38	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
39	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
40							Speaker	Y

41
 42 Co-sponsor(s) added: Representative(s) Court, Duran, Esgar, Fields, Kagan,
 43 Rosenthal, Roupe, Williams, Winter

44
 45 **HB16-1049** by Representative(s) Lee; also Senator(s) Scheffel and Hill
 46 --Concerning an escrow account held by a depository
 47 institution on behalf of an issuer of an intrastate offering
 48 of securities.

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**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
3	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
4	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
5	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
6	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
7	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
8	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
9	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
10	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
11	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
12	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
13	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
14	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
15	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
16	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
17	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Arndt, Becker K., Buckner, Duran,
20 Fields, Garnett, Kraft-Tharp, Melton, Mitsch Bush, Pabon, Saine, Salazar,
21 Singer, Young, Speaker

22
23 **HB16-1043** by Representative(s) Brown, Becker K., Vigil; also
24 Senator(s) Baumgardner, Kefalas, Sonnenberg--
25 Concerning the joint technology committee's authority to
26 approve the request for a waiver of certain deadlines after
27 moneys for a project have been appropriated.

28
29 The question being "Shall the bill pass?"

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
34								
35	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
36	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
37	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
38	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
39	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
40	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
41	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
42	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
43	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
44	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
45	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
46	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
47	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
48	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
49	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
50	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Esgar, Mitsch Bush, Wilson, Young

53

1 **HB16-1018** by Representative(s) Carver and Mitsch Bush; also
 2 Senator(s) Todd--Concerning a requirement that the
 3 statewide transportation advisory committee provide
 4 advice and comments regarding transportation-related
 5 matters to both the department of transportation and the
 6 transportation commission rather than to the department
 7 only.

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

	YES	61	NO	4	EXCUSED	0	ABSENT	0
15	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
16	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
17	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
18	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
19	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
20	Buckner	Y	Humphrey	N	Navarro	Y	Thurlow	Y
21	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
22	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
23	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
24	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
25	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
26	DelGrosso	Y	Lawrence	Y	Priola	N	Wilson	Y
27	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
28	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
29	Esgar	Y	Leonard	N	Rosenthal	Y	Wist	Y
30	Everett	N	Lontine	Y	Roupe	Y	Young	Y
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Brown, Coram, Duran, Esgar, Fields,
 33 Ginal, Hamner, Lee, Lontine, Pabon, Rosenthal, Windholz, Winter

34
 35 **HB16-1053** by Representative(s) Kraft-Tharp; also Senator(s) Hill--
 36 Concerning the regulation of retail hydrogen fuel systems
 37 for vehicles.

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

	YES	63	NO	2	EXCUSED	0	ABSENT	0
45	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
46	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
47	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
48	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
49	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
50	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
51	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
52	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
53	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
54	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
55	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
56	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y

1	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
2	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
3	Esgar	Y	Leonard	N	Rosenthal	Y	Wist	Y
4	Everett	N	Lontine	Y	Roupe	Y	Young	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Becker K., Buckner, Esgar, Fields,
7 Garnett, Ginal, Hamner, Lee, Lontine, Melton, Mitsch Bush, Moreno, Pettersen,
8 Rosenthal, Ryden, Salazar, Tyler, Williams, Winter, Speaker

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10
11 House in recess. House reconvened.
12
13

14 REPORT(S) OF COMMITTEE(S) OF REFERENCE

15 EDUCATION

16
17 After consideration on the merits, the Committee recommends the
18 following:
19

20
21 **HB16-1042** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:
24

25 Amend printed bill, page 2, line 11, after "TASTER." add "ANY UNUSED
26 FERMENTED MALT BEVERAGE PRODUCT MUST BE REMOVED FROM A
27 LICENSED PREMISES AT THE END OF AN EVENT."
28

29 Page 2, lines 21 and 22, strike "WHO IS EMPLOYED" and substitute "WHO:
30 (a) IS EMPLOYED".
31

32 Page 2, line 22, strike "EDUCATION AND IS" and substitute "EDUCATION;
33 (b) IS ENGAGED IN MANUFACTURING AND TASTING FERMENTED
34 MALT BEVERAGES OR MALT LIQUORS FOR TEACHING OR RESEARCH
35 PURPOSES; AND
36 (c) IS".
37

38 Page 3, line 1, strike "ENROLLED IN A" and substitute "WHO:
39 (a) IS ENROLLED IN A BREWING CLASS OR PROGRAM OFFERED AT OR
40 BY A".
41

42 Page 3, line 2, strike "EDUCATION WHO IS" and substitute "EDUCATION;
43 AND
44 (b) IS".
45

46 Page 3, line 12, after "TASTER." add "ANY UNUSED MALT LIQUOR
47 PRODUCT MUST BE REMOVED FROM A LICENSED PREMISES AT THE END OF
48 AN EVENT."
49

50 PRINTING REPORT

51
52
53 The Chief Clerk reports the following bills have been correctly printed:
54 **HB16-1149, 1150, 1151, 1152, 1153, 1154.**
55
56

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The Speaker has signed: **HM16-001, SJR16-004.**

MESSAGE FROM THE SENATE

Madam Speaker:

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB16-004, SB16-031, and SB16-020.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB16-022 Amended on Third Reading as printed in Senate Journal, January 26, 2016.

SB16-014 Amended in General Orders as printed in Senate Journal, January 25, 2016.

SB16-039 Amended in General Orders as printed in Senate Journal, January 25, 2016.

The Senate has Adopted and transmits herewith: SJM16-002, as amended.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

without comment, **SB16-004, 020, 031.**

without comment, as amended, **SB16-014,022, and 039.**

INTRODUCTION OF BILLS**First Reading**

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

HB16-1155 by Representative(s) Saine and Mitsch Bush, Humphrey, Buck, Priola, Melton, Coram, Becker J., Nordberg; also Senator(s) Sonnenberg, Marble--Concerning authorization for a county to designate a four-lane controlled-access highway that is located in both unincorporated and incorporated areas of the county as a primary road of the county highway system, and, in connection therewith, specifying the jurisdiction, control, and duties of the county and of a municipality through which the highway passes with respect to such a highway.

Committee on Local Government

- 1 **SB16-004** by Senator(s) Scott, Johnston, Roberts, Scheffel,
 2 Steadman; also Representative(s) Willett, Dore, Foote,
 3 Kagan, McCann--Concerning the enactment of Colorado
 4 Revised Statutes 2015 as the positive and statutory law of
 5 the state of Colorado.
 6 Committee on Judiciary
 7
- 8 **SB16-014** by Senator(s) Holbert; also Representative(s) Williams--
 9 Concerning the alignment of state mortgage originator
 10 disclosure laws with recent changes in federal law.
 11 Committee on Business Affairs and Labor
 12
- 13 **SB16-020** by Senator(s) Sonnenberg, Baumgardner, Kefalas; also
 14 Representative(s) Becker K., Brown, Vigil--Concerning
 15 clarification of certain calculations of the automatic
 16 funding mechanism for payment of future costs
 17 attributable to certain of the state's capital assets.
 18 Committee on Finance
 19
- 20 **SB16-022** by Senator(s) Martinez Humenik, Merrifield; also
 21 Representative(s) Pettersen, Singer, Wilson--Concerning
 22 removing certain limitations on the pilot program to
 23 mitigate cliff effect for low-income families who are
 24 working and receiving child care assistance.
 25 Committee on Public Health Care & Human Services
 26
- 27 **SB16-031** by Senator(s) Steadman, Johnston, Roberts, Scheffel,
 28 Scott; also Representative(s) Dore, Foote, Kagan,
 29 McCann, Willett--Concerning authority of the director of
 30 the office of legislative legal services to sign vouchers for
 31 expenditures of the office.
 32 Committee on Judiciary
 33
- 34 **SB16-039** by Senator(s) Newell and Martinez Humenik; also
 35 Representative(s) Lee, Singer--Concerning including a
 36 mental health professional in the memorandum of
 37 understanding relating to a local-level collaborative
 38 management process for children and families.
 39 Committee on Public Health Care & Human Services
 40
 41
 42

INTRODUCTION OF MEMORIAL

43
 44
 45 The following memorial was read by title and referred to the committee
 46 indicated:
 47

- 48 **SJM16-002** by Senator(s) Jones and Roberts, Baumgardner, Cooke,
 49 Hodge, Merrifield; also Representative(s) Coram and
 50 Vigil, Arndt, Becker K., Buck, Hamner, Mitsch Bush,
 51 Singer, Thurlow--Concerning the need for Congress to
 52 fund catastrophic wildfire response costs outside of federal
 53 forest management agencies' normal budgets.
 54 Committee on Agriculture, Livestock, & Natural Resources
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 56
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1 On motion of Representative Duran, the House adjourned until 9:00 a.m.,
2 January 27, 2016.

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Approved:
DICKEY LEE HULLINGHORST,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk