

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Sixteenth Legislative Day

Thursday, January 28, 2016

1 Prayer by Rabbi Joseph Black, Temple Emanuel, Denver.
 2

3 The Speaker called the House to order at 9:00 a.m.
 4

5 Pledge of Allegiance led by Kiara Johnson, Arrupe Jesuit High School,
 6 Denver.
 7

8 The roll was called with the following result:
 9

10 Present--62.

11 Excused--Representative(s) Duran, Foote, Ryden--3.

12 Present after roll call--Representative(s) Foote, Ryden.
 13

14 The Speaker declared a quorum present.
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17 On motion of Representative Carver, the reading of the journal of
 18 January 27, 2016, was declared dispensed with and approved as corrected
 19 by the Chief Clerk.
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THIRD READING OF BILL(S)--FINAL PASSAGE

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 25 The following bill(s) were considered on Third Reading. The title(s)
 26 were publicly read. Reading of the bill at length was dispensed with by
 27 unanimous consent.
 28

29 [HB16-1051](#) by Representative(s) Van Winkle; also Senator(s)
 30 Holbert--Concerning the issuance of beneficiary
 31 designation forms to facilitate the transfer of ownership of
 32 a vehicle upon the death of an owner.
 33

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

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
40	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
41	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
42	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
43	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y

1	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
2	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
3	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
4	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
5	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
6	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
7	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
8	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
9	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
10	Duran	E	Lee	Y	Ransom	Y	Winter	Y
11	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
12	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
13							Speaker	Y

14 Co-sponsor(s) added: Representative(s) Conti, Fields, Ginal, Kraft-Tharp,
15 Lebsock, Moreno, Primavera, Priola, Ransom, Saine, Vigil, Williams,
16 Windholz

17

18 **HB16-1032** by Representative(s) Lontine; also Senator(s) Todd and
19 Cooke--Concerning changes to the contents of a criminal
20 summons.

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

26	YES	57	NO	7	EXCUSED	1	ABSENT	0
27	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
28	Becker J.	Y	Foote	Y	McCann	Y	Saine	N
29	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
30	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
31	Buck	N	Hamner	Y	Moreno	Y	Singer	Y
32	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
33	Carver	Y	Joshi	Y	Neville P.	N	Tyler	Y
34	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
35	Coram	Y	Klingenschmitt	N	Pabon	Y	Vigil	Y
36	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
37	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
38	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
39	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	N
40	Duran	E	Lee	Y	Ransom	Y	Winter	Y
41	Esgar	Y	Leonard	N	Rosenthal	Y	Wist	Y
42	Everett	N	Lontine	Y	Roupe	Y	Young	Y
43							Speaker	Y

44 Co-sponsor(s) added: Representative(s) Melton, Pabon, Rosenthal, Vigil

45

46 **HB16-1057** by Representative(s) Ransom; also Senator(s) Merrifield--
47 Concerning statutorily established time periods that are
48 multiples of seven days.

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

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

53

54	YES	64	NO	0	EXCUSED	1	ABSENT	0
55	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
56	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y

1	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
2	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
3	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
4	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
5	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
6	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
7	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
8	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
9	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
10	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
11	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
12	Duran	E	Lee	Y	Ransom	Y	Winter	Y
13	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
14	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Conti, Kagan, Saine, Windholz

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House in recess. House reconvened.

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REPORT(S) OF COMMITTEE(S) OF REFERENCE

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AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

27

After consideration on the merits, the Committee recommends the

28

following:

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HJR16-1002 be amended as follows, and as so amended, be referred to the House for final action:

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32

33

Amend printed resolution, page 1, line 6, after "dams" insert "and other structures".

34

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Page 2, line 12, after "dam" insert "or other water storage structure".

37

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Page 2, line 13, strike "a dam located on" and substitute "the structure located on or requiring access through".

39

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Page 2, strike lines 16 through 18 and substitute:

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"WHEREAS, In Colorado, there is variation in the extent of communication and cooperation between local branches of federal land management agencies and owners or operators of dams or other water storage structures regarding access to the water structure to maintain, repair,".

44

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49

Page 2, line 19, strike "dam;" and substitute "structure;".

50

51

Page 2, strike lines 20 through 23 and substitute:

52

53

"WHEREAS, This lack of communication in some instances has caused problems and, thus, counteracts efforts to maximize our state's water storage capacity and protect water quality and critical natural resources;".

54

55

56

1 Page 2, strike lines 25 through 28 and substitute:
2

3 "WHEREAS, Lack of cooperation and communication could
4 further exacerbate the deteriorating condition of the structure, potentially
5 increasing both the cost to restore the structure to a".
6

7 Page 2, line 29, strike "dam" and substitute "structure".
8

9 Page 3, strike lines 1 through 3 and substitute "Bureau of Land
10 Management, to communicate and work cooperatively on requests for
11 permission to access a dam or other water storage structure when the
12 purpose of accessing the water storage structure is to maintain, repair, or
13 rehabilitate the water storage structure."
14

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16
17 **HB16-1019** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:
20

21 Amend printed bill, page 2, line 3, strike "(IV)" and substitute
22 "introductory portion, (3) (g) (IV), (3) (g) (V)".
23

24 Page 2, line 7, strike the second "mitigation" and substitute "~~mitigation~~
25 REDUCTION".
26

27 Page 2, after line 14 insert:
28

29 "(V) Other nonemergency preventive activities designed to reduce
30 the unwanted impacts caused by wildfires that the forest service may
31 deem to be risk reduction or fuel ~~mitigation~~ REDUCTION treatments."
32

33 Page 2, line 25, strike "MITIGATION" and substitute "REDUCTION".
34

35 Page 3, line 1, strike "MITIGATION" and substitute "REDUCTION".
36
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40 **EDUCATION**

41 After consideration on the merits, the Committee recommends the
42 following:
43

44 **HB16-1002** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:
47

48 Amend printed bill, page 3, line 3, strike "PRESCHOOL" and substitute
49 "KINDERGARTEN".
50

51 Page 3, lines 7 and 8, strike "MEETINGS, CONFERENCES, OR ACTIVITIES"
52 and substitute "MEETINGS OR CONFERENCES".
53

54 Page 3, line 10, after "CONFERENCE;" insert "OR".
55

56 Page 3, strike lines 11 and 12 and substitute:

1 "(b) A MEETING RELATED TO: SPECIAL EDUCATION SERVICES, AS
2 DEFINED IN".

3
4 Page 3, line 15, strike "ISSUES; OR" and substitute "ISSUES."

5
6 Page 3, strike lines 16 through 18.

7
8 Page 3, line 27, strike "PRESCHOOL" and substitute "KINDERGARTEN".
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13 **LOCAL GOVERNMENT**

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

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17 **HB16-1030** be amended as follows, and as so amended, be referred to
18 the Committee on Finance with favorable recommendation:
19

20 Amend printed bill, strike everything below the enacting clause and
21 substitute:

22 "**SECTION 1.** In Colorado Revised Statutes, 33-14.5-108.5,
23 **amend** (1) as follows:

24 **33-14.5-108.5. Crossing roads, highways, and railroad tracks.**

25 (1) The driver of an off-highway vehicle may directly cross a roadway,
26 including a state highway, at an at-grade crossing to continue using the
27 off-highway vehicle on the other side. ~~except that a person shall not cross~~
28 ~~a state highway within the jurisdiction of a municipality.~~

29 "**SECTION 2.** In Colorado Revised Statutes, 33-14.5-110, **amend**
30 (1) as follows:

31 **33-14.5-110. Regulation by political subdivisions.**

32 (1) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (1),
33 any county, city and county, city, or town acting by its governing body
34 may regulate the operation of off-highway vehicles on public lands,
35 waters, and property under its jurisdiction and on streets and highways
36 within its boundaries by resolution or ordinance of the governing body
37 and by giving appropriate notice thereof OF THE REGULATION if ~~such~~ THE
38 regulation is not inconsistent with ~~the provisions of~~ this article and the
39 rules and regulations promulgated pursuant thereto UNDER THIS ARTICLE.

40 (b) (I) NOTWITHSTANDING THE REQUIREMENT THAT ITS
41 ORDINANCE OR RESOLUTION NOT BE INCONSISTENT WITH THIS ARTICLE OR
42 A RULE PROMULGATED UNDER THIS ARTICLE, A COUNTY, CITY AND
43 COUNTY, CITY, OR TOWN MAY REQUIRE THE DRIVER WHO IS DRIVING AN
44 OFF-HIGHWAY VEHICLE ON A STREET, ROAD, OR HIGHWAY WITHIN THE
45 JURISDICTION OF THE COUNTY, CITY AND COUNTY, CITY, OR TOWN TO:

46 (A) HAVE A DRIVER'S LICENSE; OR

47 (B) CARRY LIABILITY INSURANCE.

48 (II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH

49 (b), A COUNTY, CITY AND COUNTY, CITY, OR TOWN DOES NOT HAVE
50 AUTHORITY TO REQUIRE A DRIVER TO HAVE A DRIVER'S LICENSE OR CARRY
51 LIABILITY INSURANCE UNDER THE CIRCUMSTANCES DESCRIBED IN SECTION
52 33-14.5-108 (1) (a) TO (1) (e) AND (1) (g) TO (1) (i).

53 "**SECTION 3.** In Colorado Revised Statutes, 33-14.5-110, **add** (3)
54 as follows:

55 **33-14.5-110. Regulation by political subdivisions.** (3) FOR A
56 COUNTY, CITY AND COUNTY, CITY, OR TOWN TO REGULATE THE CROSSING

1 OF A STATE HIGHWAY UNDER THE JURISDICTION OF THE COLORADO
 2 DEPARTMENT OF TRANSPORTATION, THE COUNTY, CITY AND COUNTY,
 3 CITY, OR TOWN MUST GIVE NOTICE IN WRITING TO THE DEPARTMENT OF
 4 TRANSPORTATION FOR REVIEW.

5 **SECTION 4. Safety clause.** The general assembly hereby finds,
 6 determines, and declares that this act is necessary for the immediate
 7 preservation of the public peace, health, and safety."
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12 **STATE, VETERANS, & MILITARY AFFAIRS**

13 After consideration on the merits, the Committee recommends the
 14 following:
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16 **HB16-1055** be postponed indefinitely.
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20 **HB16-1068** be postponed indefinitely.
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24 **HB16-1074** be postponed indefinitely.
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27 **TRANSPORTATION & ENERGY**

28 After consideration on the merits, the Committee recommends the
 29 following:
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31 **HB16-1008** be amended as follows, and as so amended, be referred to
 32 the Committee of the Whole with favorable
 33 recommendation:
 34

35 Amend printed bill, page 2, line 16, strike "DEPARTMENT." and substitute
 36 "DEPARTMENT BUT, SUBJECT TO THE CONDITIONS OF USE, THE DRIVER OF
 37 AN AUTHORIZED VEHICLE HAS SOLE DISCRETION TO DECIDE WHETHER OR
 38 NOT TO DRIVE ON SUCH AN AREA BASED ON THE DRIVER'S ASSESSMENT OF
 39 THE SAFETY OF DOING SO."
 40
 41

43 **HB16-1039** be amended as follows, and as so amended, be referred to
 44 the Committee of the Whole with favorable
 45 recommendation:
 46

47 Amend printed bill, page 3, after line 1 insert:
 48

49 "(6) Neither the intent nor the effect of this bill will be to create
 50 tire checkpoints, wherein each driver will be stopped to determine
 51 whether the motor vehicle's equipment meets the requirements of section
 52 42-4-106 (5), C.R.S."
 53

54 Page 4, strike lines 9 and 10 and substitute "MILEPOST 259 (MORRISON)
 55 BETWEEN OCTOBER 1 TO MAY 15 OF EACH YEAR."
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MESSAGE FROM THE SENATE

Madam Speaker:

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:
SB16-066.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
without comment, SB16-066

**INTRODUCTION OF BILLS
First Reading**

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

HB16-1156 by Representative(s) Danielson and Salazar, Tyler, Becker K., Buckner, Esgar, Fields, Garnett, Ginal, Hullinghorst, Kagan, Lee, Lontine, Melton, Moreno, Pettersen, Primavera, Singer, Vigil, Williams, Winter--Concerning the prohibition of an action against an employee for sharing wage information.
Committee on Business Affairs and Labor

HB16-1157 by Representative(s) Garnett and Kraft-Tharp; also Senator(s) Tate--Concerning the establishment of a future sunset review of the functions delegated to the director of the division of professions and occupations under the "Michael Skolnik Medical Transparency Act of 2010" to implement the recommendation of the department of regulatory agencies as contained in its 2015 sunset report pertaining to the division of professions and occupations.
Committee on Business Affairs and Labor

HB16-1158 by Representative(s) Lee; also Senator(s) Holbert--Concerning continuation under the sunset law of the identity theft and financial fraud board.
Committee on Judiciary

HB16-1159 by Representative(s) Lee, Court, Foote, Kagan; also Senator(s) Holbert--Concerning continuation under the sunset law of the Colorado fraud investigators unit.
Committee on Judiciary

HB16-1160 by Representative(s) Ginal and Lontine, Esgar, Primavera, Ryden; also Senator(s) Neville T.--Concerning the continuation of the surgical assistant and surgical technologist registration program.
Committee on Health, Insurance, & Environment

1 **HB16-1161** by Representative(s) Young, Hamner, Rankin; also
2 Senator(s) Lambert, Grantham, Steadman--Concerning the
3 allocation of certain money that exceeds the total amount
4 of all warrants issued by the state treasurer to reimburse
5 local governmental entities for property tax revenues lost
6 as a result of the application of a certain property tax
7 exemption.

8 Committee on Finance
9

10 **HB16-1162** by Representative(s) Navarro--Concerning requiring
11 advance public notice of salary increases for administrators
12 of low-performing public education entities.

13 Committee on Education
14

15 **HB16-1163** by Representative(s) Rankin, Hamner, Young; also
16 Senator(s) Grantham, Lambert, Steadman--Concerning
17 appropriations from the noxious weed management fund.

18 Committee on Local Government
19

20 **HB16-1164** by Representative(s) Pabon; also Senator(s) Aguilar and
21 Martinez Humenik--Concerning the transfer of
22 responsibilities related to exemptions from immunization
23 requirements from schools to the department of public
24 health and environment.

25 Committee on Health, Insurance, & Environment
26

27 **HB16-1165** by Representative(s) Becker K. and Landgraf--Concerning
28 statutory changes based on the recommendations in the
29 report of the 2013-2015 Colorado child support
30 commission.

31 Committee on Public Health Care & Human Services
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INTRODUCTION OF RESOLUTION(S)

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

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42 **HJR16-1003** by Representative(s) Lontine and Roupe, Buckner,
43 Danielson, Esgar, Fields, Foote, Garnett, Ginal,
44 Humphrey, Kraft-Tharp, Lebsock, Lee, McCann, Melton,
45 Moreno, Neville P., Primavera, Thurlow, Wist; also
46 Senator(s) Lambert and Carroll, Hill, Jones, Scott,
47 Sonnenberg, Ulibarri--Concerning recognition of
48 Military, Veterans, and MIA/POW Appreciation Day.

49
50 **HJR16-1004** by Representative(s) Esgar and Navarro, Buckner,
51 Danielson, Fields, Foote, Garnett, Ginal, Humphrey,
52 Kraft-Tharp, Lee, Lontine, McCann, Melton, Moreno,
53 Neville P., Primavera, Roupe, Wist; also Senator(s)
54 Crowder and Garcia, Jones, Scott, Sonnenberg, Ulibarri--
55 Concerning the U.S.S. Pueblo.
56

- 1 **HJR16-1005** by Representative(s) Williams and Humphrey, Buckner,
2 Danielson, Esgar, Fields, Foote, Garnett, Ginal, Kraft-
3 Tharp, Lee, Lontine, McCann, Melton, Moreno,
4 Primavera, Roupe, Thurlow, Wist; also Senator(s)
5 Sonnenberg and Ulibarri, Hill, Jones, Scott--Concerning
6 the U.S.S. Colorado.
7
- 8 **HJR16-1006** by Representative(s) Ryden and Thurlow, Buckner,
9 Danielson, Fields, Foote, Garnett, Ginal, Humphrey,
10 Kraft-Tharp, Lee, Lontine, McCann, Melton, Moreno,
11 Primavera, Roupe, Wist; also Senator(s) Todd and
12 Martinez Humenik, Scott--Concerning the designation of
13 a portion of East Sixth Avenue in Aurora as the
14 "Colorado Freedom Memorial Highway".
15
- 16 **HJR16-1007** by Representative(s) Melton and Landgraf, Buckner,
17 Danielson, Esgar, Fields, Foote, Garnett, Ginal,
18 Humphrey, Kraft-Tharp, Lee, Lontine, McCann, Moreno,
19 Neville P., Primavera, Roupe, Thurlow, Wist; also
20 Senator(s) Hill and Heath, Cooke, Jones, Scott,
21 Sonnenberg, Ulibarri--Concerning recognition of military
22 personnel from Colorado who have served in Operation
23 Enduring Freedom, Operation Freedom's Sentinel,
24 Operation New Dawn, Operation Inherent Resolve, and
25 in the Global War on Terrorism and honoring those who
26 have died while serving the cause of freedom around the
27 world.
28

29 The following resolution was read by title and laid over until February 1,
30 2016 under the rules:
31

- 32 **HJR16-1008** by Representative(s) Joshi and Ginal, Priola, Arndt,
33 Becker J., Becker K., Brown, Buck, Buckner, Carver,
34 Conti, Coram, Court, Danielson, DelGrosso, Dore, Esgar,
35 Everett, Fields, Foote, Garnett, Hulinghorst, Humphrey,
36 Kagan, Klingenschmitt, Kraft-Tharp, Landgraf,
37 Lawrence, Lee, Leonard, Lundeen, McCann, Melton,
38 Moreno, Navarro, Neville P., Nordberg, Primavera,
39 Rankin, Ransom, Rosenthal, Roupe, Ryden, Saine,
40 Salazar, Sias, Thurlow, Tyler, Van Winkle, Willett,
41 Wilson, Windholz, Winter, Wist--Concerning honoring
42 the life of Mahatma Gandhi.
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47 On motion of Representative Moreno House adjourned until 9:00 a.m.,
48 January 29, 2016.
49

50 Approved:
51 DICKEY LEE HULLINGHORST,
52 Speaker

53 Attest:
54 MARILYN EDDINS,
55 Chief Clerk
56

