

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Sixty-sixth Legislative Day

Friday, March 18, 2016

1 Prayer by Representative Dominick Moreno, Commerce City.

2

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

4

5 Pledge of Allegiance led by Amber Kiley, Skinner Middle School,
6 Denver.

7

8 The roll was called with the following result:

9

10 Present--60.

11 Excused--Representative(s) Humphrey, Lebsock, Ransom, Roupe,
12 Salazar--5.

13 Present after roll call--Representative(s) Humphrey, Lebsock,
14 Ransom, Salazar.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Moreno, the reading of the journal of
20 March 17, 2016, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22

23

24

25

26

CONSIDERATION OF MEMORIAL(S)

27

28 [HM16-1002](#) by Representative(s) Neville P.--Memorializing former
29 Representative John Robert McElderry.

30

31 (Printed and placed in members' file)

32

33 On motion of Representative Neville P., the memorial was read at length
34 and **adopted** by **viva voce** vote.

35

36 After a number of House members spoke in favor of the memorial, the
37 Speaker put the House in recess to allow former members to speak:
38 Senator Steve Durham, Representative Tom Tancredo

39

40 Roll call of the House added as co-sponsors: Representative(s) Arndt, Becker J.,
41 Becker K., Brown, Buck, Buckner, Carver, Conti, Coram, Court, Danielson,
42 DelGrosso, Dore, Duran, Esgar, Everett, Fields, Foote, Garnett, Ginal, Hamner,
43 Humphrey, Joshi, Kagan, Klingenschmitt, Kraft-Tharp, Landgraf, Lawrence,

1 Lebsock, Lee, Leonard, Lontine, Lundeen, McCann, Melton, Mitsch Bush,
 2 Moreno, Navarro, Nordberg, Pabon, Pettersen, Primavera, Priola, Rankin,
 3 Ransom, Rosenthal, Ryden, Saine, Salazar, Sias, Singer, Thurlow, Tyler, Van
 4 Winkle, Vigil, Willett, Williams, Wilson, Windholz, Winter, Wist, Young,
 5 Speaker.

6
 7 **SJM16-001** by Senator(s) Roberts; also Representative(s) Coram and
 8 Mitsch Bush--Concerning protection from liability for
 9 voluntary reclamation of abandoned hard rock mines.

10
 11 (Printed and placed in members' file)

12
 13 On motion of Representative Mitsch Bush, the memorial was **adopted** by
 14 **viva voce** vote.

15
 16 Roll call of the House added as co-sponsors: Representative(s) Arndt,
 17 Becker J., Becker K., Brown, Buck, Buckner, Carver, Conti, Court,
 18 Danielson, DelGrosso, Dore, Duran, Esgar, Everett, Fields, Foote,
 19 Garnett, Ginal, Hamner, Humphrey, Joshi, Kagan, Klingenschmitt, Kraft-
 20 Tharp, Landgraf, Lawrence, Lebsock, Lee, Leonard, Lontine, Lundeen,
 21 McCann, Melton, Moreno, Navarro, Neville P., Nordberg, Pabon,
 22 Pettersen, Primavera, Priola, Rankin, Ransom, Rosenthal, Ryden, Saine,
 23 Salazar, Sias, Singer, Thurlow, Tyler, Van Winkle, Vigil, Willett,
 24 Williams, Wilson, Windholz, Winter, Wist, Young, Speaker

25
 26
 27
 28
 29 **THIRD READING OF BILL(S)--FINAL PASSAGE**

30
 31 The following bill(s) were considered on Third Reading. The title(s)
 32 were publicly read. Reading of the bill at length was dispensed with by
 33 unanimous consent.

34
 35 **HB16-1310** by Representative(s) Salazar; also Senator(s) Carroll--
 36 Concerning liability for the conduct of oil and gas
 37 operations.

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
 42 bill was declared **passed**.

43
 44

	YES	33	NO	31	EXCUSED	1	ABSENT	0
45	Arndt	Y	Fields	Y	Lundeen	N	Ryden	Y
46	Becker J.	N	Foote	Y	McCann	Y	Saine	N
47	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
48	Brown	N	Ginal	Y	Mitsch Bush	Y	Sias	N
49	Buck	N	Hamner	Y	Moreno	Y	Singer	Y
50	Buckner	Y	Humphrey	N	Navarro	N	Thurlow	N
51	Carver	N	Joshi	N	Neville P.	N	Tyler	Y
52	Conti	N	Kagan	Y	Nordberg	N	Van Winkle	N
53	Coram	N	Klingenschmitt	N	Pabon	Y	Vigil	N
54	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	N
55	Danielson	Y	Landgraf	N	Primavera	Y	Williams	Y
56	DelGrosso	N	Lawrence	N	Priola	N	Wilson	N

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

6 Co-sponsor(s) added: Representative(s) Foote, Ginal, Melton, Primavera,
 7 Ryden, Singer, Young, Speaker

8
 9 **HB16-1153** by Representative(s) Melton; also Senator(s) Cooke--
 10 Concerning the annual date by which the general assembly
 11 receives a report regarding outcomes of decisions made by
 12 the state board of parole.

13
 14 As shown by the following roll call vote, a majority of all members
 15 elected to the House voted in the affirmative, and Representative Melton
 16 was given permission to offer a Third Reading amendment:

17	YES	64	NO	0	EXCUSED	1	ABSENT	0
19	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
20	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
21	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
22	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
23	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
24	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
25	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
26	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
27	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
28	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
29	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
30	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
31	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
32	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
33	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
34	Everett	Y	Lontine	Y	Roupe	E	Young	Y
35							Speaker	Y

36
 37 **Third Reading amendment No. 1**, by Representative Melton.

38
 39 Amend engrossed bill, page 2, line 4, strike "On" and substitute
 40 "NOTWITHSTANDING SECTION 24-1-136 (11) (a), C.R.S., on".

41
 42 The amendment was declared **passed** by the following roll call vote:

43	YES	64	NO	0	EXCUSED	1	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	Y	Rosenthal	Y	Wist	Y
4	Everett	Y	Lontine	Y	Roupe	E	Young	Y
5							Speaker	Y

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

12	YES	64	NO	0	EXCUSED	1	ABSENT	0
13	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
14	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
15	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
16	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
17	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
18	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
19	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
20	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
21	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
22	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
23	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
24	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
25	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
26	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
27	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
28	Everett	Y	Lontine	Y	Roupe	E	Young	Y
29							Speaker	Y

30 Co-sponsors added: Co-sponsor(s) added: Representative(s) Becker K., Salazar.

31
32
33
34
35 **MESSAGE FROM THE SENATE**

36
37 The Senate has adopted and transmits herewith: SJR16-014 as amended.

38
39
40
41
42 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

43
44 On motion of Representative Duran, the rules were suspended and the
45 following resolution was given immediate consideration.

46
47 **SJR16-014** by Senator(s) Neville T., Cooke, Jahn, Kerr, Lambert,
48 Woods; also Representative(s) Everett and Leonard,
49 Danielson, Kraft-Tharp, Lontine, Pettersen, Tyler--
50 Concerning the designation of United States Highway 285
51 from Mile Marker 238 to Mile Marker 245 as the
52 "Sergeant Sean P. Renfro Memorial Highway".

53
54 (Printed and placed in members' files).
55

1 On motion of Representative Leonard, the resolution was read at length
2 and **adopted** by **viva voce** vote.

3
4 Current roll call added as co-sponsor(s) added: Representative(s) Arndt,
5 Becker J., Becker K., Brown, Buck, Buckner, Carver, Conti, Coram, Court,
6 DelGrosso, Dore, Duran, Esgar, Fields, Foote, Garnett, Ginal, Hamner,
7 Humphrey, Joshi, Kagan, Klingenschmitt, Landgraf, Lawrence, Lebsock, Lee,
8 Lundeen, McCann, Melton, Mitsch Bush, Moreno, Navarro, Neville P.,
9 Nordberg, Pabon, Primavera, Priola, Rankin, Ransom, Rosenthal, Ryden, Saine,
10 Salazar, Sias, Singer, Thurlow, Van Winkle, Vigil, Willett, Williams, Wilson,
11 Windholz, Winter, Wist, Young, Speaker

12
13
14
15
16 **CONSIDERATION OF RESOLUTION(S)**

17
18 **SJR16-018** by Senator(s) Grantham and Todd, Baumgardner, Cooke,
19 Crowder, Holbert, Marble, Neville T., Scheffel, Scott,
20 Sonnenberg, Tate, Woods; also Representative(s) Buck
21 and Singer--Concerning the establishment of March 16 as
22 Liberty Day, and, in connection therewith, establishing
23 March 2016 as Liberty Month.

24
25 (Printed and placed in members' file)

26
27 On motion of Representative Singer, the resolution was read at length and
28 **adopted** by **viva voce** vote.

29
30 Current Roll Call added as co-sponsor(s): Representative(s) Arndt, Becker J.,
31 Becker K., Brown, Buckner, Carver, Conti, Coram, Court, Danielson,
32 DelGrosso, Dore, Duran, Esgar, Everett, Fields, Foote, Garnett, Ginal,
33 Hamner, Humphrey, Joshi, Kagan, Klingenschmitt, Kraft-Tharp,
34 Landgraf, Lawrence, Lebsock, Lee, Leonard, Lontine, Lundeen, McCann,
35 Melton, Mitsch Bush, Moreno, Navarro, Neville P., Nordberg, Pabon,
36 Pettersen, Primavera, Priola, Rankin, Ransom, Rosenthal, Ryden, Saine,
37 Salazar, Sias, Thurlow, Tyler, Van Winkle, Vigil, Willett, Williams,
38 Wilson, Windholz, Winter, Wist, Young, Speaker.

39
40
41 House in recess. House reconvened.

42
43
44
45 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

46 **APPROPRIATIONS**

47 After consideration on the merits, the Committee recommends the
48 following:

49
50
51 **HB16-1006** be amended as follows, and as so amended, be referred to
52 the Committee of the Whole with favorable
53 recommendation:

54
55 Amend the Finance Committee Report, dated February 17, 2016, page 1,
56 after line 2 insert:

1 **""SECTION 1. Legislative declaration - no fiscal impact.**
 2 (1) The general assembly hereby finds and declares that:
 3 (a) The purpose of this act is to clarify the law regarding tax
 4 exemptions for public housing authorities that the general assembly
 5 extended to subsidiaries of housing authorities in 2000 so that the
 6 department of revenue again allows the exemptions to such subsidiaries
 7 to the same extent that it had been allowing them before reinterpreting the
 8 law to disallow certain exemptions beginning in 2013;
 9 (b) The legislative council staff revenue forecasts relied on by the
 10 general assembly during its fiscal year 2015-16 budgeting process did not
 11 specifically take into account additional tax revenue that the state might
 12 have received due to the department of revenue's 2013 reinterpretation of
 13 the law, and the general assembly therefore did not rely on the existence
 14 of any such additional revenue in developing the fiscal year 2015-16
 15 budget; and
 16 (c) The clarification of the law provided for in this act therefore
 17 has no fiscal year 2015-16 fiscal impact on the state."

18
 19 Page 1, line 3, strike **""SECTION 1."** and substitute **""SECTION 2."**
 20
 21
 22

23 **HB16-1014** be referred to the Committee of the Whole with favorable
 24 recommendation.
 25
 26

27 **HB16-1129** 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 6, after line 11 insert:
 32

33 **""SECTION 5. Appropriation.** For the 2016-17 state fiscal year,
 34 \$18,952 is appropriated to the department of state for use by the
 35 information technology services division. This appropriation is from the
 36 department of state cash fund created in section 24-21-104 (3) (b), C.R.S.
 37 To implement this act, the division may use this appropriation for
 38 personal services."
 39

40 Renumber succeeding section accordingly.
 41

42 Page 1, line 102 strike **"FRAUD."** and substitute **"FRAUD, AND, IN
 43 CONNECTION THEREWITH, MAKING AN APPROPRIATION."**
 44
 45
 46

47 **HB16-1173** be referred to the Committee of the Whole with favorable
 48 recommendation.
 49
 50

51 **HB16-1266** be amended as follows, and as so amended, be referred to
 52 the Committee of the Whole with favorable
 53 recommendation:
 54

1 Amend printed bill, page 5, after line 1 insert:
2

3 **"SECTION 4. Appropriation.** (1) For the 2016-17 state fiscal
4 year, \$23,753 is appropriated to the department of revenue. This
5 appropriation is from the marijuana cash fund created in section 12-43.3-
6 501 (1) (a), C.R.S. To implement this act, the department may use this
7 appropriation for the purchase of legal services.

8 (2) For the 2016-17 state fiscal year, \$23,753 is appropriated to
9 the department of law. This appropriation is from reappropriated funds
10 received from the department of revenue under subsection (1) of this
11 section and is based on an assumption that the department of law will
12 require an additional 0.1 FTE. To implement this act, the department of
13 law may use this appropriation to provide legal services for the
14 department of revenue."
15

16 Renumber succeeding section accordingly.
17

18 Page 1, line 102, strike "CONTAMINANTS." and substitute
19 "CONTAMINANTS, AND, IN CONNECTION THEREWITH, MAKING AN
20 APPROPRIATION."
21

22
23
24 **HB16-1350** be referred to the Committee of the Whole with favorable
25 recommendation.
26

27
28 **HB16-1352** be referred to the Committee of the Whole with favorable
29 recommendation.
30

31
32 **HB16-1353** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:
35

36 Amend printed bill, page 2, line 2, strike "\$41,516,495" and substitute
37 "\$41,548,865".
38

39 Page 2, line 3, strike "\$40,437,495" and substitute "\$40,469,865".
40

41 Page 2, line 6, strike "\$13,780,387" and substitute "\$13,812,757".
42

43 Page 2, line 7, strike "\$13,690,387" and substitute "\$13,722,757".
44
45
46
47

48 **BUSINESS AFFAIRS & LABOR**

49 After consideration on the merits, the Committee recommends the
50 following:
51

52 **HB16-1001** be amended as follows, and as so amended, be referred to
53 the Committee of the Whole with favorable
54 recommendation:
55

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, add 24-103-405 as
4 follows:

5 **24-103-405. Business compliance with equal pay standards.**

6 (1) A GOVERNMENTAL BODY SHALL NOT AWARD A CONTRACT TO A
7 BUSINESS PURSUANT TO THIS CODE UNLESS THE BUSINESS IS IN
8 COMPLIANCE WITH THE EQUAL PAY STANDARDS SPECIFIED IN SUBSECTION
9 (2) OF THIS SECTION; EXCEPT THAT THIS SECTION SHALL NOT APPLY TO
10 BUSINESSES WITH FIFTY OF FEWER EMPLOYEES.

11 (2) A BUSINESS THAT BIDS TO BE AWARDED A STATE CONTRACT
12 PURSUANT TO THIS CODE SHALL COMPLY WITH THE FOLLOWING
13 REQUIREMENTS:

14 (a) THE BUSINESS DOES NOT PAY ANY OF ITS EMPLOYEES AT WAGE
15 RATES LESS THAN THE RATES PAID TO OTHER EMPLOYEES ON THE BASIS OF
16 DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION,
17 TRANSGENDER STATUS, RELIGION, AGE, NATIONAL ORIGIN, OR ANCESTRY
18 FOR SUBSTANTIALLY SIMILAR WORK, WHEN VIEWED AS A COMPOSITE OF
19 SKILL, EFFORT, AND RESPONSIBILITY AND PERFORMED UNDER SIMILAR
20 WORKING CONDITIONS, EXCEPT WHERE THE WAGE DIFFERENTIAL IS BASED
21 UPON ONE OR MORE OF THE FOLLOWING FACTORS:

22 (I) A SENIORITY SYSTEM;

23 (II) A MERIT SYSTEM;

24 (III) A SYSTEM THAT MEASURES AN EMPLOYEE'S EARNINGS BY THE
25 QUANTITY OR QUALITY OF PRODUCTION BY THE EMPLOYEE; OR

26 (IV) A BONA FIDE FACTOR OTHER THAN DISABILITY, RACE, CREED,
27 COLOR, SEX, SEXUAL ORIENTATION, TRANSGENDER STATUS, RELIGION,
28 AGE, NATIONAL ORIGIN, OR ANCESTRY, SUCH AS EDUCATION, TRAINING, OR
29 EXPERIENCE;

30 (b) EMPLOYEES OF THE BUSINESS CANNOT BE DISCIPLINED FOR
31 SHARING INFORMATION REGARDING EMPLOYEE COMPENSATION WITH
32 OTHER EMPLOYEES OF THE BUSINESS;

33 (c) FOR ANY JOB POSTING, THE BUSINESS INCLUDES INFORMATION
34 REGARDING THE SALARY RANGE FOR THE AVAILABLE POSITION;

35 (d) THE BUSINESS DOES NOT RESTRICT EMPLOYEES OF ONE
36 DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION,
37 TRANSGENDER STATUS, RELIGION, AGE, NATIONAL ORIGIN, OR ANCESTRY
38 TO CERTAIN JOB CLASSIFICATIONS AND MAKES RETENTION AND
39 PROMOTION DECISIONS WITHOUT REGARD TO DISABILITY, RACE, CREED,
40 COLOR, SEX, SEXUAL ORIENTATION, TRANSGENDER STATUS, RELIGION,
41 AGE, NATIONAL ORIGIN, OR ANCESTRY;

42 (e) WAGE AND BENEFIT DISPARITIES ARE CORRECTED WHEN
43 IDENTIFIED TO ENSURE COMPLIANCE WITH EQUAL PAY STANDARDS AND
44 LAWS; AND

45 (f) WAGES AND BENEFITS ARE PERIODICALLY EVALUATED TO
46 ENSURE COMPLIANCE WITH EQUAL PAY STANDARDS AND LAWS, INCLUDING
47 HOW OFTEN SUCH EVALUATION OCCURS.

48 (3) A BUSINESS THAT IS AWARDED A CONTRACT BY A
49 GOVERNMENTAL BODY SHALL REQUIRE THAT ANY SUBCONTRACTOR THAT
50 THE BUSINESS USES TO FULFILL THE TERMS OF THE CONTRACT COMPLIES
51 WITH THE CRITERIA SPECIFIED IN PARAGRAPHS (a) TO (f) OF SUBSECTION
52 (2) OF THIS SECTION.

53 (4) ANY BUSINESS THAT IS AWARDED A CONTRACT BY A
54 GOVERNMENTAL BODY OR THAT IS A SUBCONTRACTOR FOR A BUSINESS
55 THAT WAS AWARDED A CONTRACT BY A GOVERNMENTAL BODY SHALL
56 KEEP AND MAINTAIN THE FOLLOWING INFORMATION FOR THE TERM OF THE

1 CONTRACT WITH THE GOVERNMENTAL BODY:

2 (a) WAGES EARNED BY EMPLOYEES OF THE BUSINESS,
3 CATEGORIZED BY OCCUPATION, AND WITHIN EACH OCCUPATION,
4 CATEGORIZED BY RACE, SEX, AND NATIONAL ORIGIN;

5 (b) THE NUMBER OF EMPLOYEES THAT THE BUSINESS EMPLOYS
6 CATEGORIZED BY OCCUPATION, AND WITHIN EACH OCCUPATION,
7 CATEGORIZED BY RACE, SEX, AND NATIONAL ORIGIN;

8 (c) THE AVERAGE ANNUALIZED SALARIES PAID TO EMPLOYEES, IN
9 THE MANNER MOST CONSISTENT WITH THE EMPLOYER'S COMPENSATION
10 SYSTEM, WITHIN EACH MAJOR JOB CATEGORY, CATEGORIZED BY RACE,
11 SEX, AND NATIONAL ORIGIN; AND

12 (d) THE AVERAGE LENGTH OF EMPLOYMENT BY THE BUSINESS FOR
13 EMPLOYEES IN EACH MAJOR JOB CATEGORY, CATEGORIZED BY RACE, SEX,
14 AND NATIONAL ORIGIN.

15 (5) (a) THE DEPARTMENT OF LABOR AND EMPLOYMENT MAY
16 RECEIVE COMPLAINTS ABOUT A CONTRACTOR OR SUBCONTRACTOR'S
17 POTENTIAL VIOLATIONS OF THE REQUIREMENTS OF THIS SECTION. AFTER
18 RECEIVING A COMPLAINT, THE DEPARTMENT OF LABOR AND EMPLOYMENT
19 MAY INVESTIGATE THE RECORDS THAT A CONTRACTOR AND
20 SUBCONTRACTOR ARE REQUIRED TO KEEP PURSUANT TO SUBSECTION (4)
21 OF THIS SECTION AND IMPOSE FINES PURSUANT TO PARAGRAPH (b) OF THIS
22 SUBSECTION (5) ON A CONTRACTOR OR SUBCONTRACTOR, AS APPLICABLE,
23 FOR THE VIOLATION OF THE REQUIREMENTS OF THIS SECTION.

24 (b) AFTER CONDUCTING AN INVESTIGATION OF A CONTRACTOR OR
25 SUBCONTRACTOR'S RECORDS PURSUANT TO PARAGRAPH (a) OF THIS
26 SUBSECTION (5), IF THE DEPARTMENT OF LABOR AND EMPLOYMENT
27 DETERMINES THAT A CONTRACTOR OR SUBCONTRACTOR HAS KNOWINGLY
28 VIOLATED THE REQUIREMENTS OF THIS SECTION BY FAILING TO COMPLY
29 WITH EQUAL PAY STANDARDS, THE EXECUTIVE DIRECTOR OF THE
30 DEPARTMENT OF LABOR AND EMPLOYMENT MAY IMPOSE A FINE ON THE
31 CONTRACTOR OR SUBCONTRACTOR, AS APPLICABLE, AS FOLLOWS:

32 (I) FOR THE FIRST VIOLATION, FIVE THOUSAND DOLLARS OR AN
33 AMOUNT EQUAL TO ONE PERCENT OF THE COST OF THE CONTRACT OR
34 SUBCONTRACT, AS APPLICABLE, WHICHEVER IS LESS;

35 (II) FOR THE SECOND VIOLATION, TEN THOUSAND DOLLARS OR AN
36 AMOUNT EQUAL TO ONE PERCENT OF THE COST OF THE CONTRACT OR
37 SUBCONTRACT, AS APPLICABLE, WHICHEVER IS LESS; OR

38 (III) FOR THE THIRD VIOLATION AND ANY VIOLATION THEREAFTER,
39 TWENTY-FIVE THOUSAND DOLLARS OR AN AMOUNT EQUAL TO ONE
40 PERCENT OF THE COST OF THE CONTRACT OR SUBCONTRACT, AS
41 APPLICABLE, WHICHEVER IS LESS.

42 (c) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR AND
43 EMPLOYMENT MAY DISMISS A COMPLAINT IN HIS OR HER DISCRETION IF,
44 AFTER CONDUCTING AN INVESTIGATION PURSUANT TO THIS SECTION, THE
45 DEPARTMENT DETERMINES THAT THE CIRCUMSTANCES THAT LED TO THE
46 COMPLAINT WERE THE RESULT OF A MINOR PAPERWORK VIOLATION.

47 (d) A CONTRACTOR OR SUBCONTRACTOR WHO IS FOUND TO BE IN
48 VIOLATION OF THE PROVISIONS OF THIS SECTION MAY APPEAL SUCH
49 FINDING TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR AND
50 EMPLOYMENT. THE EXECUTIVE DIRECTOR OR THE EXECUTIVE DIRECTOR'S
51 DESIGNEE SHALL HOLD A HEARING TO REVIEW SUCH NOTICE OR ORDER AND
52 TAKE FINAL ACTION IN ACCORDANCE WITH ARTICLE 4 OF THIS TITLE. FINAL
53 AGENCY ACTION IS SUBJECT TO JUDICIAL REVIEW PURSUANT TO ARTICLE
54 4 OF THIS TITLE.

55 (e) ANY REVENUE COLLECTED FROM THE FINES IMPOSED PURSUANT
56 TO THIS SUBSECTION (5) SHALL BE TRANSMITTED TO THE STATE

1 TREASURER, WHO SHALL CREDIT THE SAME TO THE COLORADO LABOR
2 ENFORCEMENT CASH FUND CREATED IN SECTION 8-17-104, C.R.S.

3 (f) NOTHING IN THIS SUBSECTION (5) SHALL BE CONSTRUED TO
4 LIMIT ANY INDIVIDUAL'S RIGHT TO PURSUE AN ACTION THROUGH THE
5 COLORADO CIVIL RIGHTS DIVISION PURSUANT TO PART 3 OF ARTICLE 34 OF
6 THIS TITLE.

7 (6) IF, AFTER AWARDING A CONTRACT, A GOVERNMENTAL BODY
8 DETERMINES THAT THE CONTRACTOR OR SUBCONTRACTOR PERFORMING
9 WORK ON THE CONTRACT WAS KNOWINGLY NOT IN COMPLIANCE WITH THE
10 PROVISIONS OF THIS SECTION WHILE PERFORMING WORK ON THE
11 CONTRACT, THE GOVERNMENTAL BODY MAY TERMINATE THE CONTRACT.

12 **SECTION 2.** In Colorado Revised Statutes, 8-17-104, **amend** (4)
13 as follows:

14 **8-17-104. Enforcement - violation - penalties - Colorado labor**
15 **enforcement cash fund - creation.** (4) The revenue collected from the
16 fines imposed pursuant to subsection (2) of this section AND PURSUANT
17 TO SECTION 24-103-405 (5), C.R.S., shall be transmitted to the state
18 treasurer, who shall credit the same to the Colorado labor enforcement
19 cash fund, which is hereby created. The general assembly shall make
20 appropriations from the fund as necessary to cover the direct and indirect
21 costs of the department of labor and employment in connection with the
22 requirements of this article AND THE REQUIREMENTS OF SECTION
23 24-103-405 (5), C.R.S. All moneys not expended or encumbered and all
24 interest earned on the investment or deposit of moneys in the fund remain
25 in the fund and do not revert to the general fund or any other fund at the
26 end of any fiscal year.

27 **SECTION 3. Applicability.** This act applies to contracts entered
28 into on and after the effective date of this act.

29 **SECTION 4. Act subject to petition - effective date.** This act
30 takes effect at 12:01 a.m. on the day following the expiration of the
31 ninety-day period after final adjournment of the general assembly (August
32 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
33 referendum petition is filed pursuant to section 1 (3) of article V of the
34 state constitution against this act or an item, section, or part of this act
35 within such period, then the act, item, section, or part will not take effect
36 unless approved by the people at the general election to be held in
37 November 2016 and, in such case, will take effect on the date of the
38 official declaration of the vote thereon by the governor."
39
40
41

42 **HB16-1166** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:
45

46 Amend printed bill, page 3, line 14, strike "ABOUT" and substitute "FROM"
47 and strike "EMPLOYMENT." and substitute "EMPLOYMENT UNLESS THE
48 EMPLOYER HAS PROVIDED A SALARY RANGE FOR THE OPEN EMPLOYMENT
49 POSITION."
50

51
52
53 **HB16-1287** be amended as follows, and as so amended, be referred to
54 the Committee of the Whole with favorable
55 recommendation:
56

1 Amend printed bill, page 3, line 14, strike "COMMENT," and substitute
2 "COMMENT OF NOT FEWER THAN FIFTEEN DAYS,".
3

4 Page 3, line 15, strike "TO THE" and substitute "TO:

5 (a) THE SENATE COMMITTEE ON BUSINESS, LABOR, AND
6 TECHNOLOGY OR ITS SUCCESSOR COMMITTEE;

7 (b) THE HOUSE OF REPRESENTATIVES COMMITTEE ON BUSINESS
8 AFFAIRS AND LABOR OR ITS SUCCESSOR COMMITTEE; AND

9 (c) THE".
10
11
12

13 **SB16-125** be referred to the Committee of the Whole with favorable
14 recommendation.
15
16
17
18

19 **FINANCE**

20 After consideration on the merits, the Committee recommends the
21 following:
22

23 **HB16-1142** be amended as follows, and as so amended, be referred to
24 the Committee on Appropriations with favorable
25 recommendation:
26

27 Strike the Public Health Care & Human Services Committee Report,
28 dated February 16, 2016, and substitute:
29

30 "Amend printed bill, page 4, line 9, strike "OF MEDICINE".
31

32 Page 4, line 11, strike "A" and substitute "AN UNCOMPENSATED".
33

34 Page 4, line 18, strike "MEDICAL" and substitute "HEALTH CARE".
35

36 Page 4, strike lines 22 through 25 and substitute:
37

38 "(g) "RURAL AREA" MEANS A COUNTY THAT IS LOCATED IN A
39 NONMETROPOLITAN AREA IN THE STATE THAT EITHER HAS NO
40 MUNICIPALITY WITHIN ITS TERRITORIAL BOUNDARIES WITH FIFTY
41 THOUSAND OR MORE PERMANENT RESIDENTS BASED UPON THE MOST
42 RECENT POPULATION ESTIMATES PUBLISHED BY THE UNITED STATES
43 CENSUS BUREAU OR THAT SATISFIES ALTERNATE CRITERIA FOR THE
44 DESIGNATION OF A RURAL AREA AS MAY BE PROMULGATED BY THE
45 FEDERAL OFFICE OF MANAGEMENT AND BUDGET.".
46

47 Page 5, line 20, strike "OF MEDICINE".
48

49 Page 5, line 22, strike "THREE" and substitute "TWO".".
50
51
52

53 **HB16-1295** be amended as follows, and as so amended, be referred to
54 the Committee on Appropriations with favorable
55 recommendation.
56

1 Amend printed bill, page 3, strike line 5.

2

3 Renumber succeeding subparagraphs accordingly.

4

5 Page 3, line 9, after "COMMUNITY;" add "AND".

6

7 Page 3, strike lines 10 and 11.

8

9 Renumber succeeding subparagraph accordingly.

10

11

12

13

14 **HEALTH, INSURANCE & ENVIRONMENT**

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

17

18 **HB16-1294** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:

21

22 Amend printed bill, page 3, line 6, after "10-16-104," insert "**amend** (18)
23 (a) (I) introductory portion; and"

24

25 Page 3, strike line 9 and substitute "**rules. (18) Preventive health care
26 services. (a) (I) The following policies and contracts that are delivered,
27 issued, renewed, or reinstated on or after January 1, 2010, must provide
28 coverage for the total cost of the preventive health care services specified
29 in paragraph (b) of this subsection (18):**

30

(b.5) (I) FOR PURPOSES OF".

31

32

33

34 **HB16-1324** be amended as follows, and as so amended, be referred to
35 the Committee on Finance with favorable
36 recommendation:

37

38 Amend printed bill, page 2, line 2, after "**amend**" insert "(3) (b) and".

39

40 Page 2, strike line 5 and substitute "**devices - rules - definition. (3) (b)
41 (I) EXCEPT AS PERMITTED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (b),
42 a wholesaler may sell or deliver to a person responsible for the control of
43 an animal a drug intended for veterinary use for that animal only if a
44 licensed veterinarian has issued, ~~prior to such~~ BEFORE sale or delivery, a
45 written prescription order for the drug in the course of an existing, valid
46 veterinarian-client-patient relationship as defined in section 12-64-103
47 (15.5); except that, if the prescription order is for a drug that is not a
48 controlled substance or is a controlled substance listed on schedule III,
49 IV, or V, the licensed veterinarian may issue an oral prescription order for
50 that drug. If the licensed veterinarian issues an oral prescription order for
51 a controlled substance listed on schedule III, IV, or V, the licensed
52 veterinarian shall provide a written prescription to the wholesaler within
53 three business days after issuing the oral order.**

54

55 (II) (A) WHETHER A COMPOUNDED DRUG IS A CONTROLLED
56 SUBSTANCE OR A NONCONTROLLED SUBSTANCE, A WHOLESALER MAY SELL
OR DELIVER THE COMPOUNDED DRUG TO A LICENSED VETERINARIAN

1 WITHOUT THE LICENSED VETERINARIAN HAVING A
2 VETERINARIAN-CLIENT-PATIENT RELATIONSHIP IN PLACE AT THE TIME OF
3 THE SALE OR DISTRIBUTION IF THE COMPOUNDED DRUG IS SOLD OR
4 DISTRIBUTED FOR OFFICE USE PURSUANT TO PARAGRAPH (b) OF
5 SUBSECTION (6) OF THIS SECTION OR FOR OFFICE STOCK PURSUANT TO
6 SECTION 12-42.5-118.5.

7 (B) A LICENSED VETERINARIAN SHALL NOT ADMINISTER OR
8 DISPENSE A COMPOUNDED DRUG PURSUANT TO THIS SUBPARAGRAPH (II)
9 WITHOUT A VALID VETERINARIAN-CLIENT-PATIENT RELATIONSHIP IN PLACE
10 AT THE TIME OF ADMINISTERING THE COMPOUNDED DRUG TO AN ANIMAL
11 PATIENT OR DISPENSING THE COMPOUNDED DRUG TO A CLIENT.

12 (6) (b) (I) The board shall promulgate rules".
13

14 Page 2, line 20, strike "DISPENSED." and substitute "DISPENSED, BUT ONLY
15 IF THE NONRESIDENT PHARMACY OUTLET HAS PROVIDED THE BOARD WITH
16 A COPY OF THE MOST RECENT INSPECTION OF THE NONRESIDENT
17 PHARMACY OUTLET BY THE AGENCY THAT REGULATES PHARMACEUTICALS
18 IN THE STATE OF RESIDENCE AND INFORMATION ABOUT THE PROCEDURE
19 AND CRITERIA OF INSPECTIONS IN THAT STATE, AND THE BOARD APPROVES
20 THE INSPECTION REPORT AND THE STATE'S INSPECTION PROCEDURE AND
21 CRITERIA AS SATISFACTORILY DEMONSTRATING PROOF OF COMPLIANCE
22 WITH THE BOARD'S OWN INSPECTION PROCEDURE AND CRITERIA. THE
23 BOARD MAY PROMULGATE RULES CONCERNING ITS REVIEW OF
24 NONRESIDENT PHARMACY OUTLET INSPECTIONS.".

25
26 Page 4, line 9, after "(d)" insert "(I)".
27

28 Page 4, line 10, strike "(I)" and substitute "(A)".
29

30 Page 4, line 13, strike "(II)" and substitute "(B)".
31

32 Page 4, after line 14 insert:
33

34 "(II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH
35 (d), "PRESCRIPTION DRUG OUTLET" DOES NOT INCLUDE A NONRESIDENT
36 PHARMACY OUTLET UNLESS THE NONRESIDENT PHARMACY OUTLET HAS
37 PROVIDED THE BOARD WITH A COPY OF THE MOST RECENT INSPECTION OF
38 THE NONRESIDENT PHARMACY BY THE AGENCY THAT REGULATES
39 PHARMACEUTICALS IN THE STATE OF RESIDENCE AND INFORMATION ABOUT
40 THE PROCEDURE AND CRITERIA FOR INSPECTIONS IN THAT STATE, AND THE
41 BOARD HAS APPROVED THE INSPECTION REPORT AND THE STATE'S
42 INSPECTION PROCEDURE AND CRITERIA AS SATISFACTORILY
43 DEMONSTRATING PROOF OF COMPLIANCE WITH THE BOARD'S OWN
44 INSPECTION PROCEDURE AND CRITERIA.".

45
46 Page 5, after line 10 insert:
47

48 "SECTION 5. Effective date. This act takes effect January 1,
49 2017."
50

51 Renumber succeeding section accordingly.
52
53
54
55

1 **JUDICIARY**

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

4
5 **HB16-1268** be referred to the Committee of the Whole with favorable
6 recommendation.

7
8
9 **HB16-1278** be referred to the Committee of the Whole with favorable
10 recommendation.

11
12
13 **SB16-099** be referred to the Committee of the Whole with favorable
14 recommendation.

15
16
17 **SB16-110** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:

20
21 Amend reengrossed bill, page 4, strike lines 22 and 23 and substitute:
22 "SECTION 2. **Effective date - applicability.** This act takes
23 effect September 1, 2016, and the notation requirement applies to
24 offenses committed on or after said date. Criminal justice agencies and
25 custodians of criminal justice records shall make reasonable efforts to
26 comply with this act for offenses committed prior to September 1, 2016."
27

28
29
30
31 **TRANSPORTATION & ENERGY**

32 After consideration on the merits, the Committee recommends the
33 following:

34
35 **SB16-122** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:

38
39 Amend reengrossed bill, page 3, line 21, strike "TWO WEEKS" and
40 substitute "THIRTY DAYS".

41 Page 4, line 13, strike "AND ADMINISTRATIVE".

42 Page 4, line 14, strike "ACTION AMENDMENTS".

43
44 Page 4, line 19, strike "AMENDMENT AND ADMINISTRATIVE ACTION" and
45 substitute "AMENDMENT.".

46
47 Page 4, strike line 20.
48

49 _____
50
51 **PRINTING REPORT**

52
53 The Chief Clerk reports the following bills and Concurrent Resolution
54 have been correctly printed: **HB16-1389, 1390, 1391, 1392, 1393, 1394,**
55 **1395, 1396, 1397, 1398; HCR16-1001.**
56

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The Speaker has signed: **SJR16-016, 017, and 019.**

MESSAGE(S) FROM THE SENATE

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

SB16-123 amended in General Orders as printed in Senate Journal February 25, 2016 and March 17, 2016.
SB16-106 amended in General Orders as printed in Senate Journal, March 17, 2016.
SB16-131 amended in General Orders as printed in Senate Journal, March 17, 2016.

The Senate has passed on Third Reading and returns herewith: HB16-1094.

The Senate agrees with House Amendments to SB16-121 and repasses the bill as amended.

The Senate agrees with House Amendments to SB16-010 and repasses the bill as amended.

The Senate has postponed indefinitely HB16-1120. The bill is returned herewith.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
without comment, as amended, **SB16-106, 123, and 131.**

On motion of Representative Williams, the following bill(s) will be calendared for General Orders on March 21, 2016: **HB16-1006, 1014, 1129, 1173, 1266, 1350, 1352, 1353, 1001, 1166, 1287, SB16-125, HB16-1294, 1268, 1278, SB16-099, 110, 122.**

On motion of Representative Williams, the following bill(s) calendared for General Orders, March 23, will be calendared for March 21, 2016: **HB16-1160.**

On motion of Representative Williams, the following bill(s) calendared for General Orders, March 21, will be calendared for March 23, 2016: **HB16-1101.**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Williams, the following item(s) on the Calendar was laid over until March 21, retaining place on Calendar:

Consideration of Senate Amendment(s)--**HB16-1090**.

On motion of Representative Williams, the House adjourned until 10:00 a.m., March 21, 2016.

Approved:
DICKY LEE HULLINGHORST,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk