

**SENATE JOURNAL**  
Seventieth General Assembly  
**STATE OF COLORADO**  
Second Regular Session

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115th Legislative Day

Friday, May 6, 2016

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Prayer	By the chaplain, Reverend Dr. John Roberts, First Baptist Church, Sterling.	1
Call to Order	By the President at 9:00 a.m.	2
Roll Call	Present--34 Excused--1, Aguilar. Present later--1, Aguilar.	3 4 5 6
Quorum	The President announced a quorum present.	7
Pledge	By Senator Merrifield.	8
Musical Presentation	The Journey School Choir, Colorado Springs.	9
Reading of Journal	On motion of Senator Steadman, reading of the Journal of Thursday, May 5, 2016, was dispensed with, and the Journal was approved as corrected by the Secretary.	10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29

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**SENATE SERVICES REPORT**

**Correctly Printed:** SB16-212 and 213.  
**Correctly Engrossed:** SB16-194, 196, 200, 210, and 212.  
**Correctly Reengrossed:** SB16-184 and 208.  
**Correctly Revised:** HB16-1031, 1040, 1047, 1077, 1112, 1117, 1160, 1175, 1194, 1211, 1234, 1261, 1286, 1289, 1290, 1328, 1345, 1362, 1383, 1386, 1398, 1404, 1422, 1424, 1429, and 1440.  
**Correctly Rerevised:** HB16-1368, 1436, and 1448.

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**MESSAGE FROM THE HOUSE**

May 5, 2016

Mr. President:

The House has postponed indefinitely SB16-170. The bill is returned herewith.

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**INTRODUCTION OF BILLS -- FIRST READING**

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

**SB16-214** by Senator(s) Marble and Hodge; also Representative(s) Saine and Danielson--Concerning a study of other western states' use of real-time water management strategies.  
State, Veterans, & Military Affairs

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**SB16-215** by Senator(s) Tate; also Representative(s) Young--Concerning modifications to the implementation of the state's payroll system that will allow all state employees to be paid twice a month.  
Finance

**CORRECTION OF BILL ASSIGNMENT**

The President announced that **HB16-1365**, which was originally introduced on Monday, April 11 and assigned to the Committee on Education, will be assigned to the Committee on State, Veterans, & Military Affairs.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

**CONSIDERATION OF RESOLUTIONS**

**SJR16-034** by Senator(s) Lambert and Grantham; also Representative(s) Carver and Lawrence-- Concerning the designation of United States Highway 24 from Mile Marker 298 in Manitou Springs to Mile Marker 283 in Woodland Park as the "SPC Rob Lee Nichols Memorial Highway".

On motion of Senator Lambert, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	E	Kerr	Y	Scheffel	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cadman, Carroll, Cooke, Crowder, Donovan, Garcia, Heath, Hill, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Steadman, Tate, Todd, Ulibarri, and Woods.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for expressions of personal privilege.

**THIRD READING OF BILLS -- FINAL PASSAGE --  
CONSENT CALENDAR**

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

**HB16-1040** by Representative(s) Singer, Becker K., Hamner; also Senator(s) Holbert--Concerning auxiliary emergency communications in the state, and, in connection therewith, establishing the auxiliary emergency communications unit in the office of emergency management in the department of public safety, and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cadman, Carroll, Crowder, Grantham, Heath, Jones, Lambert, Martinez Humenik, Merrifield, Neville T., Newell, Roberts, Todd, and Woods.

**HB16-1175** by Representative(s) Primavera and Nordberg, Ryden, Saine; also Senator(s) Jahn and Neville T., Cooke, Heath--Concerning the administration of the property tax exemptions for qualifying seniors and disabled veterans, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Kefalas, Kerr, Merrifield, Newell, Roberts, Scott, Tate, Todd, and Woods.

**HB16-1328** by Representative(s) Lee and McCann, Court, Fields, Kagan, Kraft-Tharp, Lontine, Primavera, Salazar, Arndt, Buckner, Garnett, Ginal, Melton, Tyler; also Senator(s) Lambert and Lundberg--Concerning statutory provisions related to the use of seclusion on individuals, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Hill, Holbert, Johnston, Kefalas, Kerr, Martinez Humenik, Merrifield, Newell, Scott, Sonnenberg, Steadman, Tate, Todd, and Woods.

**HB16-1112** by Representative(s) Landgraf, Lontine, Priola, Roupe, Windholz, Ginal, Carver, Brown, Joshi, Pabon, Rankin, Ryden, Saine, Thurlow; also Senator(s) Crowder--Concerning the creation of the training veterans to train their own service dogs pilot program, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	N	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Garcia, Kefalas, Kerr, Martinez Humenik, Merrifield, Newell, Roberts, Tate, and Todd.

**MESSAGE FROM THE HOUSE**

May 6, 2016

Mr. President:

The House has adopted and transmits herewith HJR16-1025, as printed in House Journal.

**INTRODUCTION OF RESOLUTIONS**

The following resolution was read by title:

**HJR16-1025** by Representative(s) Ryden and Saine; also Senator(s) Marble--Concerning honoring Gold Star Families.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

**CONSIDERATION OF RESOLUTIONS**

**HJR16-1025** by Representative(s) Ryden and Saine; also Senator(s) Marble--Concerning honoring Gold Star Families.

On motion of Senator Marble, the resolution was read at length.

Amendment No. 1(L.001), by Senator Kefalas.

Amend revised joint resolution, page 2, line 29, after "Mothers;" insert "the Denver Chapter of Gold Star Wives;".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

On motion of Senator Marble, the resolution, as amended, was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cadman, Carroll, Cooke, Crowder, Donovan, Garcia, Grantham, Guzman, Heath, Hill, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Steadman, Tate, Todd, Ulibarri, and Woods.

Senate in recess.                      Senate reconvened.

Call of the Senate.                      Call raised.

**THIRD READING OF BILLS -- FINAL PASSAGE**

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

**SB16-196** by Senator(s) Cooke and Cadman; also Representative(s) Landgraf and Young-- Concerning the creation of a pilot program for inclusive higher education for persons with intellectual and developmental disabilities, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	N	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Crowder, Donovan, Grantham, Guzman, Heath, Hodge, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Martinez Humenik, Merrifield, Newell, Roberts, Scheffel, Steadman, and Todd.

**SB16-194** by Senator(s) Scott; also Representative(s) Moreno and DelGrosso--Concerning funding for state highway and regional transit projects that directly enable commercial development in adjacent areas that have been deemed undeveloped or underdeveloped due to inadequate state highway and transportation systems, and, in connection therewith, requiring a post-enactment review of the implementation of this act.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	N	Heath	N	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	N	Hodge	Y	Marble	Y	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	N	Todd	Y
Donovan	N	Johnston	Y	Neville T.	N	Ulibarri	Y
Garcia	Y	Jones	N	Newell	N	Woods	Y
Grantham	Y	Kefalas	N	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Holbert, Sonnenberg, and Tate.

**SB16-212** by Senator(s) Crowder; also Representative(s) Buckner--Concerning aligning changes made to the federal child care and development block grant reauthorization of 2014 to the twelve-month eligibility requirement of the Colorado child care assistance program.

The question being "Shall the bill pass?", the roll call was taken with the following result:

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YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman, Heath, Johnston, Jones, Kefalas, Merrifield, Newell, Steadman, Todd, and Ulibarri.

**SB16-210**

by Senator(s) Baumgardner, Scott; also Representative(s) DelGrosso and Priola-- Concerning infrastructure funding, and, in connection therewith, requiring the transportation commission to submit a ballot question to the voters of the state at the November 2016, 2017, or 2018 election which, if approved, would authorize the state, with no increase in any taxes, to issue additional transportation revenue anticipation notes for the purpose of addressing critical priority transportation needs in the state by financing transportation projects and would exclude note proceeds and investment earnings on note proceeds from state fiscal year spending limits; and dedicating five percent of state sales and use tax net revenue for state transportation purposes and one percent of such revenue for other capital construction purposes.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	N	Heath	N	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	N	Hodge	Y	Marble	Y	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	N	Merrifield	N	Todd	N
Donovan	N	Johnston	N	Neville T.	Y	Ulibarri	N
Garcia	N	Jones	N	Newell	N	Woods	Y
Grantham	Y	Kefalas	N	Roberts	Y	President	Y
Guzman	N	Kerr	N	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cadman, Cooke, Hill, and Scheffel.

**SB16-200**

by Senator(s) Sonnenberg; also Representative(s) Vigil, Coram--Concerning the creation of a position in the office of the governor that coordinates the permitting of water projects.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke.

Senate in recess. Senate reconvened.

**INTRODUCTION OF BILLS -- FIRST READING**

The following bill was read by title and referred to the committee indicated:

**SB16-216** by Senator(s) Lundberg; --Concerning the restoration of a presidential primary election in Colorado.  
State, Veterans, & Military Affairs

Senate in recess. Senate reconvened.

**COMMITTEE OF REFERENCE REPORTS**

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **SB16-213** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB16-1426** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 10, strike lines 4 through 18 and substitute:

"(2) A PERSON WHO VIOLATES SUBSECTION (1) OF THIS SECTION COMMITS A CLASS 2 PETTY OFFENSE AND, UPON CONVICTION, SHALL BE PUNISHED AS FOLLOWS:

- (a) FOR A FIRST OFFENSE, A FINE OF TWENTY-FIVE DOLLARS;
- (b) FOR A SECOND OFFENSE, A FINE OF NOT LESS THAN FIFTY DOLLARS BUT NOT MORE THAN TWO HUNDRED DOLLARS; AND
- (c) FOR A THIRD OR SUBSEQUENT OFFENSE, A FINE OF NOT LESS THAN ONE HUNDRED DOLLARS BUT NOT MORE THAN FIVE HUNDRED DOLLARS."

Page 13, strike lines 16 through 27.

Page 14, strike lines 1 through 3 and substitute:

"(2) A PERSON WHO VIOLATES SUBSECTION (1) OF THIS SECTION COMMITS A CLASS 2 PETTY OFFENSE AND, UPON CONVICTION, SHALL BE PUNISHED AS FOLLOWS:

- (a) FOR A FIRST OFFENSE, A FINE OF TWENTY-FIVE DOLLARS;
- (b) FOR A SECOND OFFENSE, A FINE OF NOT LESS THAN FIFTY DOLLARS BUT NOT MORE THAN TWO HUNDRED DOLLARS; AND
- (c) FOR A THIRD OR SUBSEQUENT OFFENSE, A FINE OF NOT LESS THAN ONE HUNDRED DOLLARS BUT NOT MORE THAN FIVE HUNDRED DOLLARS."

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- Finance After consideration on the merits, the Committee recommends that **HB16-1301** be postponed indefinitely.
- Finance After consideration on the merits, the Committee recommends that **HB16-1361** be postponed indefinitely.
- Finance After consideration on the merits, the Committee recommends that **SB16-215** be referred to the Committee of the Whole with favorable recommendation.
- Finance After consideration on the merits, the Committee recommends that **HB16-1267** be referred to the Committee on Appropriations with favorable recommendation.

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### MESSAGE FROM THE HOUSE

May 6, 2016

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB16-1465, 1467, 1458, 1444, 1463, 1459, 1461.

The House has passed on Third Reading and transmitted to the Revisor of Statutes  
 HB16-1466, amended as printed in House Journal, May 5.  
 HB16-1462, amended as printed in House Journal, May 5.  
 HB16-1016, amended as printed in House Journal, May 5.  
 HB16-1142, amended as printed in House Journal, May 5.  
 HB16-1216, amended as printed in House Journal, May 5.  
 HB16-1447, amended as printed in House Journal, May 5.  
 HB16-1456, amended as printed in House Journal, May 5.  
 HB16-1464, amended as printed in House Journal, May 5.

The House has passed on Third Reading and returns herewith SB16-195, 202, 205, 120.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB16-191, amended as printed in House Journal, May 5, and amended on Third Reading as printed in House Journal.

SB16-201, amended as printed in House Journal, May 5.  
 SB16-038, amended as printed in House Journal, May 5.  
 SB16-116, amended as printed in House Journal, May 5.

The House has adopted and returns herewith SJR16-034.

The House has postponed indefinitely SB16-026. The bill is returned herewith.

The House has voted to concur in the Senate amendments to HB16-1368 and has repassed the bill as so amended.

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### INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

- SB16-217** by Senator(s) Hill; also Representative(s) Williams--Concerning measures to expedite the litigation of workers' compensation claims.  
 State, Veterans, & Military Affairs

Senate in recess.

Senate reconvened.

**COMMITTEE OF REFERENCE REPORTS**

Business,  
Labor, &  
Technology

After consideration on the merits, the Committee recommends that **SB16-206** be **postponed indefinitely**.

Business,  
Labor, &  
Technology

After consideration on the merits, the Committee recommends that **SB16-197** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, line 3, after "(4);" insert "**repeal (5);**".

Page 4, strike lines 8 through 20 and substitute "where sold. ON AND AFTER JULY 1, 2016, EXCEPT AS PERMITTED UNDER PARAGRAPH (b) OF THIS SUBSECTION (1), THE STATE AND LOCAL LICENSING AUTHORITIES SHALL NOT ISSUE A NEW LIQUOR-LICENSED DRUGSTORE LICENSE IF THE LICENSED PREMISES FOR WHICH A LIQUOR-LICENSED DRUGSTORE LICENSE IS SOUGHT IS LOCATED:

(A) WITHIN ONE THOUSAND FIVE HUNDRED FEET OF A RETAIL LIQUOR STORE LICENSED UNDER SECTION 12-47-407; OR

(B) FOR A DRUGSTORE PREMISES LOCATED IN A MUNICIPALITY WITH A POPULATION OF TEN THOUSAND OR FEWER, WITHIN THREE THOUSAND FEET OF A RETAIL LIQUOR STORE LICENSED UNDER SECTION 12-47-407.

(II) Nothing in this subsection (1) ~~shall prohibit~~ PROHIBITS:

(A) THE RENEWAL OR TRANSFER OF OWNERSHIP OF A LIQUOR-LICENSED DRUGSTORE LICENSE INITIALLY ISSUED PRIOR TO JULY 1, 2016.

(B) A liquor-licensed drugstore licensee from allowing tastings ~~to be conducted on his or her~~ THE licensed premises if ~~an authorization for the~~ APPLICABLE LOCAL LICENSING AUTHORITY HAS AUTHORIZED THE LIQUOR-LICENSED DRUGSTORE TO CONDUCT tastings ~~has been granted pursuant to section 12-47-301~~ ON ITS LICENSED PREMISES IN ACCORDANCE WITH SECTION 12-47-301 (10).

(b) (I) ON OR AFTER JANUARY 1, 2017, TO QUALIFY FOR AN ADDITIONAL LIQUOR-LICENSED DRUGSTORE LICENSE UNDER THIS SECTION, A LIQUOR-LICENSED DRUGSTORE LICENSEE, OR A RETAIL LIQUOR STORE LICENSEE THAT WAS LICENSED AS A LIQUOR-LICENSED DRUGSTORE ON FEBRUARY 21, 2016, MUST APPLY TO THE STATE AND LOCAL LICENSING AUTHORITIES, AS PART OF A SINGLE APPLICATION, FOR A TRANSFER OF OWNERSHIP OF AT LEAST TWO LICENSED RETAIL LIQUOR STORES THAT WERE LICENSED OR HAD APPLIED FOR A LICENSE ON OR BEFORE MAY 1, 2016, A CHANGE OF LOCATION OF ONE OF THE RETAIL LIQUOR STORES, AND A MERGER AND CONVERSION OF THE RETAIL LIQUOR STORE LICENSES INTO A SINGLE LIQUOR-LICENSED DRUGSTORE LICENSE. THE APPLICANT MAY APPLY FOR A TRANSFER, CHANGE OF LOCATION, AND MERGER AND CONVERSION ONLY IF ALL OF THE FOLLOWING REQUIREMENTS ARE MET:

(A) THE RETAIL LIQUOR STORES THAT ARE THE SUBJECT OF THE TRANSFER OF OWNERSHIP ARE LOCATED WITHIN THE SAME LOCAL LICENSING AUTHORITY JURISDICTION AS THE DRUGSTORE PREMISES FOR WHICH THE APPLICANT IS SEEKING A LIQUOR-LICENSED DRUGSTORE LICENSE, AND, IF ANY RETAIL LIQUOR STORES ARE LOCATED WITHIN ONE THOUSAND FIVE HUNDRED FEET OF THE DRUGSTORE PREMISES OR, FOR A DRUGSTORE PREMISES LOCATED IN A MUNICIPALITY WITH A POPULATION OF TEN THOUSAND OR FEWER OR IN AN UNINCORPORATED AREA OF A COUNTY, WITHIN THREE THOUSAND FEET OF THE DRUGSTORE PREMISES, THE APPLICANT APPLIES TO TRANSFER OWNERSHIP OF ALL RETAIL LIQUOR STORES LOCATED WITHIN THAT DISTANCE.

(B) UPON TRANSFER AND CONVERSION OF THE RETAIL LIQUOR STORE LICENSES TO A SINGLE LIQUOR-LICENSED DRUGSTORE LICENSE, THE DRUGSTORE PREMISES FOR WHICH THE LIQUOR-LICENSED DRUGSTORE

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LICENSE IS SOUGHT WILL BE LOCATED AT LEAST ONE THOUSAND FIVE HUNDRED FEET FROM ALL LICENSED RETAIL LIQUOR STORES THAT ARE WITHIN THE SAME LOCAL LICENSING AUTHORITY JURISDICTION AS THE DRUGSTORE PREMISES OR, FOR A DRUGSTORE PREMISES LOCATED IN A MUNICIPALITY WITH A POPULATION OF TEN THOUSAND OR FEWER, AT LEAST THREE THOUSAND FEET FROM ALL LICENSED RETAIL LIQUOR STORES THAT ARE WITHIN THE SAME LOCAL LICENSING AUTHORITY JURISDICTION AS THE DRUGSTORE PREMISES.

(II) FOR PURPOSES OF DETERMINING WHETHER THE DISTANCE REQUIREMENTS SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) ARE SATISFIED, THE DISTANCE SHALL BE DETERMINED BY A RADIUS MEASUREMENT THAT BEGINS AT THE PRINCIPAL DOORWAY OF THE DRUGSTORE PREMISES FOR WHICH THE APPLICATION IS MADE AND ENDS AT THE PRINCIPAL DOORWAY OF THE LICENSED RETAIL LIQUOR STORE.

(III) IN MAKING ITS DETERMINATION ON THE TRANSFER OF OWNERSHIP, CHANGE OF LOCATION, AND LICENSE MERGER AND CONVERSION APPLICATION, THE LOCAL LICENSING AUTHORITY SHALL CONSIDER THE REASONABLE REQUIREMENTS OF THE NEIGHBORHOOD AND THE DESIRES OF THE ADULT INHABITANTS IN ACCORDANCE WITH SECTION 12-47-312.

(IV) IN ADDITION TO ANY OTHER REQUIREMENTS FOR LICENSURE UNDER THIS SECTION OR ARTICLE, A PERSON APPLYING FOR A NEW LIQUOR-LICENSED DRUGSTORE LICENSE IN ACCORDANCE WITH THIS PARAGRAPH (b) ON OR AFTER JANUARY 1, 2017, OR TO RENEW A LIQUOR-LICENSED DRUGSTORE LICENSE ISSUED ON OR AFTER JANUARY 1, 2017, UNDER THIS PARAGRAPH (b) MUST:

(A) PROVIDE EVIDENCE TO THE STATE AND LOCAL LICENSING AUTHORITIES THAT AT LEAST TWENTY PERCENT OF THE LICENSEE'S GROSS ANNUAL INCOME DERIVED FROM TOTAL SALES DURING THE PRIOR TWELVE MONTHS AT THE DRUGSTORE PREMISES FOR WHICH A NEW OR RENEWAL LICENSES IS SOUGHT IS FROM THE SALE OF FOOD ITEMS, AS DEFINED BY THE STATE LICENSING AUTHORITY BY RULE; AND

(B) BE OPEN TO THE PUBLIC."

Strike page 5.

Page 6, strike lines 1 through 23.

Page 6, line 24, strike "(a)".

Page 6, line 26, strike "(I)" and substitute "(a)".

Page 7, line 1, strike "(II)" and substitute "(b)".

Page 7, line 5, strike "(III)" and substitute "(c)".

Page 7, line 10, strike "(IV)" and substitute "(d)".

Page 7, strike lines 12 through 14 and substitute "LIQUORS TO PRESENT A VALID IDENTIFICATION, AS DETERMINED BY THE STATE LICENSING AUTHORITY BY RULE;"

Page 7, line 16, strike "(V)" and substitute "(e)".

Page 7, strike lines 19 through 22.

Page 8, strike lines 9 through 17 and substitute:

"(IV) FOR A LIQUOR-LICENSED DRUGSTORE LICENSED ON OR BEFORE JANUARY 1, 2016, ADDITIONAL LIQUOR-LICENSED DRUGSTORE LICENSES AS FOLLOWS, BUT ONLY IF OBTAINED IN ACCORDANCE WITH PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION:

(A) ON OR AFTER JANUARY 1, 2017, AND BEFORE JANUARY 1, 2022, FOUR ADDITIONAL LIQUOR-LICENSED DRUGSTORE LICENSES, FOR A MAXIMUM OF FIVE TOTAL LIQUOR-LICENSED DRUGSTORE LICENSES;

(B) ON OR AFTER JANUARY 1, 2022, AND BEFORE JANUARY 1, 2027, UP TO SEVEN ADDITIONAL LIQUOR-LICENSED DRUGSTORE LICENSES, FOR A MAXIMUM OF EIGHT TOTAL LIQUOR-LICENSED DRUGSTORE LICENSES;

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(C) ON OR AFTER JANUARY 1, 2027, AND BEFORE JANUARY 1, 2032, UP TO TWELVE ADDITIONAL LIQUOR-LICENSED DRUGSTORE LICENSES, FOR A MAXIMUM OF THIRTEEN TOTAL LIQUOR-LICENSED DRUGSTORE LICENSES;

(D) ON OR AFTER JANUARY 1, 2032, AND BEFORE JANUARY 1, 2037, UP TO NINETEEN ADDITIONAL LIQUOR-LICENSED DRUGSTORE LICENSES, FOR A MAXIMUM OF TWENTY TOTAL LIQUOR-LICENSED DRUGSTORE LICENSES; AND

(E) ON OR AFTER JANUARY 1, 2037, AN UNLIMITED NUMBER OF ADDITIONAL LIQUOR-LICENSED DRUGSTORE LICENSES.

~~(5) A licensee under the provisions of this section with a valid license in effect on July 1, 2000, may apply to a local licensing authority to convert or transfer such license to a retail liquor store license issued under the provisions of section 12-47-407 and may continue to operate as a retail liquor store licensee notwithstanding the limitations with respect to location within five hundred feet from any public or parochial school or the principal campus of any college, university, or seminary pursuant to the provisions of section 12-47-313 (1) (d) (I). The local licensing authority may, but shall not be required to, consider the reasonable requirements of the neighborhood pursuant to section 12-47-312 in making a determination on the conversion or transfer to a retail liquor store license."~~

Page 9 of the bill, line 9, strike "AN EMPLOYEE OF A LIQUOR-LICENSED DRUGSTORE WHO" and substitute "A LIQUOR-LICENSED DRUGSTORE THAT".

Page 9, line 19, strike "OR 12-47-406" and substitute "12-47-406, OR 12-47-415".

Page 9, line 25, strike "PREVENT A" and substitute "PREVENT:  
(I) A".

Page 10, line 3, strike "PUBLIC." and substitute "PUBLIC; OR  
(II) A PERSON LICENSED UNDER SECTION 12-47-406 OR 12-47-415 FROM ACCESSING A LIQUOR-LICENSED DRUGSTORE'S DISPLAY TO LAWFULLY REMOVE OR EXCHANGE MALT LIQUORS OR FERMENTED MALT BEVERAGES, AS MAY BE PERMITTED BY THE STATE LICENSING AUTHORITY, THAT NO LONGER MEET MANUFACTURER'S QUALITY STANDARDS."

Page 10, strike lines 4 through 9.

Page 11 of the bill, line 4, after "AGE;" insert "AND".

Page 11 of the bill, line 9, strike "SUBMITTED; AND" and substitute "SUBMITTED."

Page 11 of the bill, strike lines 10 and 11.

Page 11, after line 15 insert:

"(b) A LIMITED WINERY LICENSED PURSUANT TO SECTION 12-47-403;  
(c) AN IMPORTER LICENSED PURSUANT TO SECTION 12-47-404;"

Reletter succeeding paragraphs accordingly.

Page 11, after line 21 insert:

"(4) IN RECOGNITION OF THE STATE'S FLOURISHING LOCAL BREWERIES, WINERIES, AND DISTILLERIES THAT LOCALLY PRODUCE HIGH-QUALITY MALT, VINOUS, AND SPIRITUOUS LIQUORS, MANAGERS OF LIQUOR-LICENSED DRUGSTORES ARE ENCOURAGED TO PURCHASE AND PROMOTE LOCALLY-PRODUCED ALCOHOL BEVERAGE PRODUCTS IN THEIR LIQUOR-LICENSED DRUGSTORES."

Page 12, after line 26 insert:

"SECTION 5. In Colorado Revised Statutes, add 12-46-108 as

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follows:

**12-46-108. Liquor industry working group - creation - duties - report - repeal.**

(1) THE STATE LICENSING AUTHORITY SHALL CONVENE A LIQUOR INDUSTRY WORKING GROUP TO DEVELOP AN IMPLEMENTATION PROCESS FOR GROCERY AND CONVENIENCE STORES TO APPLY FOR A LICENSE TO SELL MALT LIQUOR AND FERMENTED MALT BEVERAGES CONTAINING AT LEAST ONE-HALF PERCENT ALCOHOL BY VOLUME STARTING JANUARY 1, 2019. THE WORKING GROUP SHALL ANALYZE THE IMPACT THAT REMOVING THE ALCOHOL CONTENT LIMIT ON FERMENTED MALT BEVERAGES WILL HAVE ON THE ALCOHOL BEVERAGE INDUSTRY AS A WHOLE, AS WELL AS ON CURRENT RETAIL LICENSEES, AND SHALL CONSIDER OTHER LEGISLATIVE, REGULATORY, OR ADMINISTRATIVE CHANGES NECESSARY TO PROMOTE THE THREE-TIERED DISTRIBUTION SYSTEM IN COLORADO.

(2) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE SHALL APPOINT THE FOLLOWING MEMBERS TO SERVE ON THE LIQUOR INDUSTRY WORKING GROUP:

- (a) A MEMBER FROM THE DEPARTMENT OF REVENUE;
- (b) A MEMBER FROM THE LIQUOR ENFORCEMENT DIVISION IN THE DEPARTMENT OF REVENUE;
- (c) A MEMBER FROM THE ATTORNEY GENERAL'S OFFICE;
- (d) A MEMBER REPRESENTING MUNICIPAL GOVERNMENT;
- (e) A MEMBER REPRESENTING COUNTY GOVERNMENT;
- (f) A MEMBER REPRESENTING COMMUNITY PREVENTION;
- (g) A MEMBER REPRESENTING LAW ENFORCEMENT;
- (h) TWO MEMBERS REPRESENTING LARGE BREWERIES;
- (i) TWO MEMBERS REPRESENTING SMALL BREWERIES;
- (j) ONE MEMBER REPRESENTING A NATIONAL DISTILLERY;
- (k) ONE MEMBER REPRESENTING A COLORADO DISTILLERY;
- (l) THREE MEMBERS REPRESENTING RETAIL LIQUOR STORE LICENSEES, ONE OF WHICH MUST REPRESENT A SMALL RETAIL LIQUOR STORE LICENSEE;
- (m) ONE MEMBER REPRESENTING A STATEWIDE OFF-PREMISES RETAIL LICENSEE;
- (n) TWO MEMBERS REPRESENTING PERSONS LICENSED UNDER SECTION 12-47-411;
- (o) ONE MEMBER REPRESENTING PERSONS LICENSED UNDER SECTION 12-47-412;
- (p) TWO MEMBERS REPRESENTING LICENSED WHOLESALERS;
- (q) ONE MEMBER REPRESENTING A NATIONAL VINOUS LIQUORS MANUFACTURER;
- (r) ONE MEMBER REPRESENTING A COLORADO VINOUS LIQUORS MANUFACTURER;
- (s) TWO ATTORNEYS WHO PRACTICE IN THE AREA OF LIQUOR LAW AND REGULATION;
- (t) ONE MEMBER REPRESENTING MOTHERS AGAINST DRUNK DRIVING OR ITS SUCCESSOR ORGANIZATION;
- (u) TWO MEMBERS REPRESENTING GROCERY STORES;
- (v) TWO MEMBERS REPRESENTING CONVENIENCE STORES; AND
- (w) TWO MEMBERS OF THE PUBLIC.

(3) THE LIQUOR INDUSTRY WORKING GROUP SHALL CONVENE AS SOON AS PRACTICABLE AFTER THE EFFECTIVE DATE OF THIS SECTION, BUT NO LATER THAN AUGUST 1, 2016, AND BY JANUARY 1, 2018, SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS FOR AN IMPLEMENTATION PROCESS, INCLUDING ANY LEGISLATIVE OR ADMINISTRATIVE RECOMMENDATIONS, TO THE SENATE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE AND THE HOUSE OF REPRESENTATIVES BUSINESS AFFAIRS AND LABOR COMMITTEE, OR THEIR SUCCESSOR COMMITTEES.

(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2019."

Renumber succeeding sections accordingly.

Page 13, line 1, after "(19)" insert "and (31)".

Page 13, strike lines 10 through 26 and substitute:

"(31) "Retail liquor store" means an establishment engaged only in the sale of malt, vinous, and spirituous liquors, KEGS AND GROWLERS,

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EITHER EMPTY OR FILLED WITH ALCOHOL BEVERAGES IF FILLED ON THE LICENSED PREMISES, and ~~soft drinks and mixers, all in sealed containers for consumption off the premises, tobaccos, tobacco products, smokers' supplies, and nonfood items related to the consumption of such beverages, and liquor-filled candy and food items approved by the state licensing authority, which are prepackaged, labeled, and directly related to the consumption of such beverages and are sold solely for the purpose of cocktail garnish in containers up to sixteen ounces. Nothing in this section shall be construed to authorize the sale of food items that could constitute a snack, a meal, or portion of a meal~~ NONALCOHOL PRODUCTS, BUT ONLY IF THE ANNUAL GROSS REVENUES FROM THE SALE OF NONALCOHOL PRODUCTS DOES NOT EXCEED TWENTY PERCENT OF THE RETAIL LIQUOR STORE'S TOTAL ANNUAL GROSS REVENUES.

**SECTION 7.** In Colorado Revised Statutes, 12-47-301, **amend** (9), (10)(a), and (10) (c) (V); **repeal** (10) (c) (IX) and (10) (c) (XI); and **add** (12) as follows:

**12-47-301. Licensing in general.** (9) (a) (I) A licensee may move his or her permanent location to any other place in the same city, town, or city and county for which the license was originally granted, or in the same county if such license was granted for a place outside the corporate limits of any city, town, or city and county, but it shall be unlawful to sell any alcohol beverage at any such place until permission to do so is granted by all the licensing authorities provided for in this article.

(II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), FOR A RETAIL LIQUOR STORE LICENSED ON OR BEFORE JANUARY 1, 2016, THE LICENSEE MAY APPLY TO MOVE THE PERMANENT LOCATION TO ANOTHER PLACE WITHIN OR OUTSIDE THE MUNICIPALITY OR COUNTY IN WHICH THE LICENSE WAS ORIGINALLY GRANTED. IT IS UNLAWFUL FOR THE LICENSEE TO SELL ANY ALCOHOL BEVERAGES AT THE NEW LOCATION UNTIL PERMISSION IS GRANTED BY THE STATE AND LOCAL LICENSING AUTHORITIES.

(b) (I) In permitting such A change of location, ~~such~~ THE licensing authorities shall consider the reasonable requirements of the neighborhood to which the applicant seeks to change his or her location, the desires of the adult inhabitants as evidenced by petitions, remonstrances, or otherwise, and all reasonable restrictions that are or may be placed upon the new district by the council, board of trustees, or licensing authority of the city, town, or city and county or by the board of county commissioners of any county.

(II) IF THE STATE AND LOCAL LICENSING AUTHORITIES APPROVE AN APPLICATION FOR A CHANGE OF LOCATION SUBMITTED UNDER SUBPARAGRAPH (II) OF PARAGRAPH (a) OF THIS SUBSECTION (9) BY A RETAIL LIQUOR STORE LICENSED ON OR BEFORE JANUARY 1, 2016, THE LICENSEE MUST CHANGE THE LOCATION OF ITS PREMISES WITHIN THREE YEARS AFTER THE APPROVAL IS GRANTED.

(10) (a) ~~The provisions of This subsection (10) shall only apply~~ APPLIES ONLY within a county, city and county, or municipality if the WHOSE governing body of the county, city and county, or municipality adopts an ordinance or resolution authorizing tastings pursuant to this subsection (10). The ordinance or resolution may provide for ~~stricter limits than this subsection (10)~~ LIMITATIONS on the number of tastings per year per licensee, the days on which tastings may occur, or the number of hours each tasting may last.

(c) Tastings are subject to the following limitations:

(V) Tastings shall be conducted only during the operating hours in which the licensee on whose premises the tastings occur is permitted to sell alcohol beverages. ~~and in no case earlier than 11 a.m. or later than 7 p.m.~~

(IX) ~~The licensee shall not serve more than four individual samples to a patron during a tasting.~~

(XI) ~~Fastings may occur on no more than four of the six days from a Monday to the following Saturday, not to exceed one hundred four days per year.~~

(12) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, ON AND AFTER JULY 1, 2016, THE STATE AND LOCAL LICENSING AUTHORITIES SHALL NOT ISSUE A NEW LICENSE UNDER THIS ARTICLE AUTHORIZING THE SALE AT RETAIL OF MALT, VINOUS, OR SPIRITUOUS LIQUORS IN SEALED CONTAINERS FOR CONSUMPTION OFF THE LICENSED

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PREMISES IF THE PREMISES FOR WHICH THE RETAIL LICENSE IS SOUGHT IS LOCATED:

(I) WITHIN ONE THOUSAND FIVE HUNDRED FEET OF ANOTHER LICENSED PREMISES LICENSED TO SELL MALT, VINOUS, OR SPIRITUOUS LIQUORS AT RETAIL FOR OFF-PREMISES CONSUMPTION; OR

(II) FOR A PREMISES LOCATED IN A MUNICIPALITY WITH A POPULATION OF TEN THOUSAND OR FEWER OR IN AN UNINCORPORATED AREA OF A COUNTY, WITHIN THREE THOUSAND FEET OF ANOTHER LICENSED PREMISES LICENSED TO SELL MALT, VINOUS, OR SPIRITUOUS LIQUORS AT RETAIL FOR OFF-PREMISES CONSUMPTION.

(b) FOR PURPOSES OF DETERMINING WHETHER THE DISTANCE REQUIREMENTS SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (12) ARE SATISFIED, THE DISTANCE SHALL BE DETERMINED BY A RADIUS MEASUREMENT THAT BEGINS AT THE PRINCIPAL DOORWAY OF THE PREMISES FOR WHICH THE APPLICATION IS MADE AND ENDS AT THE PRINCIPAL DOORWAY OF THE OTHER RETAIL LICENSED PREMISES."

Renumber succeeding sections accordingly.

Page 14, line 1, strike "(2)" and substitute "(2); and **add** (1) (d)".

Page 14, lines 2 and 3, strike "**permits - repeal.**" and substitute "**permits.**".

Page 14, line 20, strike "(A)".

Page 14, line 21, before "TWO" insert "AT LEAST".

Page 14, line 23, strike "TWO".

Page 15, line 4, strike "MAY" and substitute "SHALL".

Page 15, line 6, strike "TWO".

Page 15, strike lines 12 and 13.

Page 15, after line 19 insert:

"(d) THE STATE OR A LOCAL LICENSING AUTHORITY SHALL NOT APPROVE A TRANSFER OF OWNERSHIP UNDER THIS SUBSECTION (1) UNTIL THE APPLICANT FILES WITH THE LOCAL LICENSING AUTHORITY CONFIRMATION FROM EACH WHOLESALER LICENSED UNDER THIS ARTICLE THAT HAS SOLD ALCOHOL BEVERAGES TO THE TRANSFEROR THAT THE WHOLESALER HAS BEEN PAID IN FULL FOR ALL ALCOHOL BEVERAGES DELIVERED TO THE TRANSFEROR."

Page 16, strike lines 19 through 24 and substitute "license. ~~The reasonable requirements of the neighborhood may, but are not required to, be considered in the conversion or transfer of a liquor-licensed drugstore license to a retail liquor store license~~ FOR THE MERGER AND CONVERSION OF RETAIL LIQUOR STORE LICENSES TO A SINGLE LIQUOR-LICENSED DRUGSTORE LICENSE IN ACCORDANCE WITH SECTION 12-47-408 (1) (b), THE LOCAL LICENSING AUTHORITY SHALL CONSIDER THE REASONABLE REQUIREMENTS OF THE NEIGHBORHOOD AND THE DESIRES OF THE ADULT INHABITANTS OF THE NEIGHBORHOOD."

Page 17, strike lines 17 through 19 and substitute "ESTABLISHING REASONABLE ALLOCATION PROCEDURES WHEN THE ANTICIPATED DEMAND FOR A PRODUCT IS GREATER THAN THE SUPPLY OF THE PRODUCT."

Page 17, line 21, after "(4);" insert "**repeal** (5);".

Page 17, line 22, strike "**license - repeal.** (1) (a)" and substitute "**license.** (1) (a) (I)".

Strike page 18.

Page 19, strike line 1 and substitute:

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"(II) ON AND AFTER JULY 1, 2016, THE STATE AND LOCAL LICENSING AUTHORITIES SHALL NOT ISSUE A NEW RETAIL LIQUOR STORE LICENSE IF THE PREMISES FOR WHICH THE RETAIL LIQUOR STORE LICENSE IS SOUGHT IS LOCATED:

(A) WITHIN ONE THOUSAND FIVE HUNDRED FEET OF ANOTHER RETAIL LIQUOR STORE LICENSED UNDER THIS SECTION OR A LIQUOR-LICENSED DRUGSTORE LICENSED UNDER SECTION 12-47-408; OR

(B) FOR A PREMISES LOCATED IN A MUNICIPALITY WITH A POPULATION OF TEN THOUSAND OR FEWER OR IN AN UNINCORPORATED AREA OF A COUNTY, WITHIN THREE THOUSAND FEET OF ANOTHER RETAIL LIQUOR STORE LICENSED UNDER THIS SECTION OR A LIQUOR-LICENSED DRUGSTORE LICENSED UNDER SECTION 12-47-408.

(b) In addition, retail liquor stores may sell ~~nonfood items related to the consumption of such liquors, liquor-filled candy, and food items approved by the state licensing authority that are prepackaged, labeled, directly related to the consumption of such liquors, and sold solely for the purpose of cocktail garnish in containers up to sixteen ounces. Nothing in this section shall be construed to authorize the sale of food items that could constitute a snack, a meal, or a portion of a meal~~ KEGS AND GROWLERS, EITHER EMPTY OR FILLED WITH ALCOHOL BEVERAGES IF FILLED ON THE LICENSED PREMISES, AND ANY NONALCOHOL PRODUCTS, BUT ONLY IF THE ANNUAL GROSS".

Page 19, line 2, strike "SUCH OTHER MERCHANDISE DOES" and substitute "NONALCOHOLIC PRODUCTS DO".

Page 19, strike lines 26 and 27.

Page 20, strike line 12 and substitute:

"(III) FOR A RETAIL LIQUOR STORE LICENSED ON OR BEFORE JANUARY 1, 2016, AND WHOSE LICENSE HOLDER IS A COLORADO RESIDENT, ADDITIONAL RETAIL LIQUOR STORE LICENSES AS FOLLOWS, BUT ONLY IF THE PREMISES FOR WHICH A LICENSE IS SOUGHT SATISFIES THE DISTANCE REQUIREMENTS SPECIFIED IN SUBPARAGRAPH (II) OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION:

(A) ON OR AFTER JANUARY 1, 2017, AND BEFORE JANUARY 1, 2022, ONE ADDITIONAL RETAIL LIQUOR STORE LICENSE, FOR A MAXIMUM OF UP TO TWO TOTAL RETAIL LIQUOR STORE LICENSES;

(B) ON OR AFTER JANUARY 1, 2022, AND BEFORE JANUARY 1, 2027, UP TO TWO ADDITIONAL RETAIL LIQUOR STORE LICENSES, FOR A MAXIMUM OF THREE TOTAL RETAIL LIQUOR STORE LICENSES; AND

(C) ON OR AFTER JANUARY 1, 2027, UP TO THREE ADDITIONAL RETAIL LIQUOR STORE LICENSES, FOR A MAXIMUM OF FOUR TOTAL RETAIL LIQUOR STORE LICENSES; or".

Page 20, after line 14 insert:

~~"(5) A licensee under the provisions of section 12-47-408 with a valid license in effect on July 1, 2000, may apply to a local licensing authority to convert or transfer such license to a retail liquor store license issued under the provisions of this section and may continue to operate as a retail liquor store licensee notwithstanding the limitations with respect to location within five hundred feet from any public or parochial school or the principal campus of any college, university, or seminary pursuant to the provisions of section 12-47-313 (1) (d) (I). The local licensing authority may, but shall not be required to, consider the reasonable requirements of the neighborhood pursuant to section 12-47-312 in making a determination on the conversion or transfer to a retail liquor store license."~~

Page 20, line 15, strike "(a)".

Page 20, line 17, strike "TWO".

Page 20, strike lines 20 and 21.

Page 20, line 25, strike "fees - repeal." and substitute "fees."

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Page 21, line 7, strike "(A)".

Page 21, strike lines 10 and 11.

Page 21, line 13, strike "12-47-426." and substitute "12-47-425."

Page 21, line 16, strike "fees - repeal." and substitute "fees."

Page 21, line 22, strike "(A)".

Page 21, strike lines 25 and 26.

Page 23, line 13, after "AS" insert "A RETAIL LIQUOR STORE UNDER SECTION 12-47-407 OR".

Page 23, line 17, before "LIQUOR-LICENSED" insert "RETAIL LIQUOR STORE OR".

Page 24, strike lines 13 through 20 and substitute "CONSUMER TO PRESENT A VALID IDENTIFICATION, AS DETERMINED BY THE STATE LICENSING AUTHORITY BY RULE. THE RETAIL LICENSEE OR EMPLOYEE".

Page 25, strike lines 13 through 21 and substitute:

**"SECTION 17. Effective date.** This act takes effect July 1, 2016; except that sections 3 and 4 of this act, section 12-47-103 (19), Colorado Revised Statutes, as amended in section 6 of this act, and section 12-47-901 (8), Colorado Revised Statutes, as repealed in section 15 of this act, take effect January 1, 2019.

**SECTION 18. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Page 1, strike lines 102 through 113.

Page 2, strike lines 101 through 109 and substitute "CONNECTION THEREWITH, RESTRICTING THE ISSUANCE OF NEW LIQUOR-LICENSED DRUGSTORE AND RETAIL LIQUOR STORE LICENSES EXCEPT UNDER SPECIFIED CIRCUMSTANCES; ALLOWING LIQUOR-LICENSED DRUGSTORE AND RETAIL LIQUOR STORE LICENSEES TO OBTAIN ADDITIONAL LICENSES UNDER LIMITED CIRCUMSTANCES; AND REPEALING THE LIMIT ON THE ALCOHOL CONTENT OF FERMENTED MALT BEVERAGES ON JANUARY 1, 2019."

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB16-1385** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB16-1365** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB16-214** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB16-216** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

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Amend printed bill, page 7, strike lines 5 and 6 and substitute:

"(c) HAVE SUBMITTED TO THE SECRETARY OF STATE, NOT LATER THAN EIGHTY-FIVE DAYS BEFORE THE PRESIDENTIAL PRIMARY".

Page 10, strike line 9 and substitute "EIGHTY-FIVE DAYS BEFORE THE PRESIDENTIAL".

Senate in recess. Senate reconvened.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that SB16-217 be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE REVISOR

May 6, 2016

We herewith transmit:

Without comment, HB16-1444, 1458, 1459, 1461, 1463, and 1465. Without comment, as amended, HB16-1016, 1142, 1216, 1447, 1456, 1462, 1464, 1466, and 1467. Without comment, as amended, SB16-038, 116, 191, and 201.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

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

HB16-1016 by Representative(s) Young; also Senator(s) Kerr--Concerning using multiple measures of student academic growth. State, Veterans, & Military Affairs

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- HB16-1142** by Representative(s) Buck and Ginal; also Senator(s) Crowder and Cooke--Concerning the creation of a credit against the state income tax for rural primary care preceptors training students matriculating at Colorado institutions of higher education.  
Finance
- HB16-1216** by Representative(s) McCann, Becker K., Court, Fields, Lee, Melton, Primavera, Salazar, Tyler; also Senator(s) Steadman--Concerning measures to facilitate the administration of the independent ethics commission, and, in connection therewith, making and reducing an appropriation.  
State, Veterans, & Military Affairs
- HB16-1444** by Representative(s) Ryden and Carver, Buckner, Danielson, Foote, Kagan, Lee, Primavera; also Senator(s) Kefalas and Crowder, Garcia, Lambert, Aguilar, Donovan, Guzman, Heath, Kerr--Concerning the definition of a "qualifying disabled veteran" as it relates to a property tax exemption for such individuals.  
Finance
- HB16-1447** by Representative(s) Esgar; also Senator(s) Garcia--Concerning a 2016-17 state fiscal year general fund transfer to the Colorado state fair authority cash fund to improve the Colorado state fair's horse show arena area, and, in connection therewith, making an appropriation.  
Finance
- HB16-1456** by Representative(s) Lontine, Rosenthal, Ryden; also Senator(s) Crowder--Concerning the sale of a portion of land at the Colorado mental health institute at Fort Logan to the United States department of veterans affairs for the expansion of Fort Logan national cemetery.  
Finance
- HB16-1458** by Representative(s) Vigil and Coram; also Senator(s) Sonnenberg and Garcia--Concerning measures to effectuate the conservation of native species in Colorado, and, in connection therewith, making appropriations from the species conservation trust fund for purposes recommended by the department of natural resources.  
State, Veterans, & Military Affairs
- HB16-1459** by Representative(s) Becker K. and Brown, Vigil, Esgar; also Senator(s) Sonnenberg and Kefalas, Baumgardner--Concerning an increase in the dollar threshold for the review of capital construction or capital renewal projects that are not for new construction or new acquisitions of real property for auxiliary and academic facilities to be funded solely from cash funds held by an institution of higher education.  
State, Veterans, & Military Affairs
- HB16-1461** by Representative(s) Pabon; also Senator(s) Johnston--Concerning tenancies of one month or longer but less than one year.  
State, Veterans, & Military Affairs
- HB16-1462** by Representative(s) Hullinghorst; also Senator(s) Guzman and Jahn--Concerning a modification to the provisions enacted in House Bill 11-1155 to authorize combining the full-time equivalent employment of the lieutenant governor and the state chief operating officer.  
State, Veterans, & Military Affairs
- HB16-1463** by Representative(s) Moreno and Joshi, Priola, Windholz; also Senator(s) Kerr and Hill--Concerning the option for certain public schools to charge for breakfast after the bell for a student who is not eligible for free or reduced-cost lunch under the national school lunch program.  
Finance

- HB16-1464** by Representative(s) Pabon; also Senator(s) Martinez Humenik--Concerning a civil action for the taking of newspapers.  
State, Veterans, & Military Affairs
- HB16-1465** by Representative(s) Duran and Becker J., Tyler, Pabon, Arndt, Becker K., Ginal, Kraft-Tharp, McCann, Mitsch Bush, Moreno, Rosenthal, Ryden, Williams, Winter, Brown, Conti, Landgraf, Lawrence, Priola, Rankin, Roupe, Thurlow, Wilson; also Senator(s) Ulibarri and Cooke--Concerning modifications to the Colorado low-income housing tax credit, and, in connection therewith, extending the period during which the Colorado housing and finance authority may allocate low-income housing tax credits.  
Finance
- HB16-1466** by Representative(s) Tyler and Becker K.; also Senator(s) Ulibarri--Concerning the use of moneys from the unclaimed property trust fund to promote the provision of affordable housing.  
State, Veterans, & Military Affairs
- HB16-1467** by Representative(s) Duran and Salazar; also Senator(s) Scheffel and Martinez Humenik--Concerning a state income tax deduction for amounts earned on the investment of money in a first-time home buyer savings account.  
Finance

**COMMITTEE OF REFERENCE REPORTS**

- Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB16-1439** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
- Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB16-1438** be **referred** to the Committee of the Whole with favorable recommendation.
- Business, Labor, & Technology After consideration on the merits, the Committee recommends that **HB16-1347** be **postponed indefinitely**.
- Appropriations After consideration on the merits, the Committee recommends that **HB16-1267** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 7, line 4, strike "THREE HUNDRED" and substitute "FIVE HUNDRED".

Page 7, line 5, strike "GENERAL FUND" and substitute "MARIJUANA TAX CASH FUND CREATED IN SECTION 39-28.8-501, C.R.S.,".

Page 7, after line 22, insert:

**"SECTION 4.** In Colorado Revised Statutes, 39-28.8-501, **amend** (2) (b) (IV) introductory portion, (2) (b) (IV) (J), and (2) (b) (IV) (K); and **add** (2) (b) (IV) (L) as follows:  
**39-28.8-501. Marijuana tax cash fund - creation - distribution - repeal.** (2) (b) (IV) Subject to the limitation in subsection (5) of this section, the general assembly may annually appropriate any ~~moneys~~ MONEY in the fund for any fiscal year following the fiscal year in which they were received by the state for the following purposes:  
(J) For the start-up expenses of the division of financial services related to the regulation of marijuana financial services cooperatives pursuant to article 33 of title 11, C.R.S., until the state commissioner of financial services first collects assessments on such cooperatives; and



(K) Grants to local governments for documented retail marijuana impacts through the local government retail marijuana impact grant program created in section 24-32-117, C.R.S.; AND  
 (L) FOR THE COLORADO VETERANS' SERVICE-TO-CAREER PILOT PROGRAM CREATED IN PART 2 OF ARTICLE 14.3 OF TITLE 8, C.R.S."

Page 7, strike lines 23 through 27 and substitute:

**"SECTION 5. Appropriation.** For the 2016-17 state fiscal year, \$500,000 is appropriated to the department of labor and employment for use by the division of employment and training. This appropriation is from the marijuana tax cash fund created in section 39-28.8-501 (1) and is based on an assumption that the division will require an additional 0.2 FTE. To implement this act, the division may use this appropriation for the veterans' service-to-career pilot program."

Renumber succeeding section accordingly.

Page 8, strike line 1.

Appropriations

After consideration on the merits, the Committee recommends that **HB16-1385** be **postponed indefinitely**.

Appropriations

After consideration on the merits, the Committee recommends that **SB16-197** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Business, Labor, and Technology Committee Report, dated May 6, 2016, page 13, strike line 8 and substitute:

**"SECTION 17. Appropriation.** (1) For the 2016-17 state fiscal year, \$398,682 is appropriated to the department of revenue. This appropriation is from the liquor enforcement division and state licensing authority cash fund created in section 24-35-401, C.R.S. To implement this act, the department may use this appropriation as follows:

- (a) \$153,195 for use by the liquor and tobacco enforcement division for personal services, which amount is based on an assumption that the division will require an additional 2.4 FTE;
- (b) \$17,463 for use by the liquor and tobacco enforcement division for operating expenses; and
- (c) \$228,024 for the purchase of legal services.

(2) For the 2016-17 state fiscal year, \$228,024 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of revenue under paragraph (c) of subsection (1) of this section and is based on an assumption that the department of law will require an additional 1.4 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of revenue.

**SECTION 18. Effective date.** This act takes effect July 1, 2016;".

Page 13 of the report, line 13, strike "**18.**" and substitute "**19.**".

Page 13 of the report, line 22, strike "**AND**".

Page 13 of the report, line 24, strike "**2019.**" and substitute "**2019; AND MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB16-216** be **referred** to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB16-213** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 7, after line 26 insert:

**"SECTION 2. Appropriation.** For the 2016-17 state fiscal year, \$79,368 is appropriated to the construction defect litigation cash fund created in section 13-20-811 (3) (a), C.R.S. This appropriation is from the general fund. The judicial department is responsible for the accounting related to this appropriation."

Renumber succeeding section accordingly.

Page 1, line 102, strike "LITIGATION." and substitute "LITIGATION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that **HB16-1321** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, strike lines 15 through 26 and substitute:

**"SECTION 2. Appropriation.** (1) For the 2016-17 state fiscal year, \$13,803 is appropriated to the department of health care policy and financing for use by the executive director's office. This appropriation is from the hospital provider fee cash fund created in section 25.5-4-402.3 (4) (a), C.R.S. To implement this act, the office may use this appropriation for Medicaid management information system maintenance and projects.

(2) For the 2016-17 state fiscal year, the general assembly anticipates that the department of health care policy and financing will receive \$124,224 in federal funds for Medicaid management information system maintenance and projects. The appropriation in subsection (1) of this section is based on the assumption that the department will receive this amount of federal funds."

Page 3, strike lines 1 through 18.

Appropriations

After consideration on the merits, the Committee recommends that **HB16-1222** be **referred** to the Committee of the Whole with favorable recommendation.

Call of the Senate.

Call raised.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for an expression of personal privilege.

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**THIRD READING OF BILLS -- FINAL PASSAGE (cont'd)**

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

**HB16-1031** by Representative(s) Carver; also Senator(s) Cooke--Concerning a requirement that legislative council staff present a study of the transportation commission districts of the state to the transportation legislation review committee.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	3	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	E
Garcia	Y	Jones	Y	Newell	N	Woods	Y
Grantham	Y	Kefalas	N	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cadman, Heath, Jones, and Todd.

**HB16-1160** by Representative(s) Ginal and Lontine, Esgar, Primavera, Ryden; also Senator(s) Tate--Concerning the continuation of the surgical assistant and surgical technologist registration program, and, in connection therewith, making an appropriation.

Senate in recess. Senate reconvened.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	12	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	E
Baumgardner	N	Hill	N	Lundberg	N	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	N	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	N	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	N
Grantham	N	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Garcia, Heath, Newell, and Todd.

**HB16-1383** by Representative(s) Singer and Fields; also Senator(s) Grantham--Concerning a predictive data analytic technology for child welfare pilot program, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	15	NO	18	EXCUSED	2	ABSENT	0
Aguilar	N	Heath	Y	Lambert	N	Scott	E
Baumgardner	N	Hill	Y	Lundberg	N	Sonnenberg	N
Carroll	N	Hodge	Y	Marble	N	Steadman	N
Cooke	Y	Holbert	N	Martinez Humenik	Y	Tate	N
Crowder	Y	Jahn	Y	Merrifield	N	Todd	N
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	E
Garcia	N	Jones	N	Newell	N	Woods	N
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	N	Scheffel	Y		

Less than a majority of all members elected to the Senate having voted in the affirmative, the bill **lost**.

**HB16-1362** by Representative(s) Young; also Senator(s) Martinez Humenik--Concerning the transfer of the functions of the license plate auction group to the Colorado disability funding committee, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	1	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar and Todd.

**HB16-1286** by Representative(s) Becker K., Singer, Vigil; also Senator(s) Tate--Concerning an increase in the percentage of a landowner's costs incurred in performing wildfire mitigation measures that may be claimed by the landowner for purposes of the wildfire mitigation income tax deduction.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	6	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	N	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	N	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	N	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Crowder, Heath, and Holbert.

**HB16-1077** by Representative(s) Moreno; also Senator(s) Martinez Humenik--Concerning the recreation of the statutory revision committee, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	3	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	E
Garcia	Y	Jones	N	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Heath, Hill, Holbert, Kerr, Newell, and Steadman.

**HB16-1117** by Representative(s) Kagan and Saine, Carver, Lundeen, Court, Becker K., Coram, Dore, Lawrence, Rosenthal, Salazar; also Senator(s) Aguilar and Cooke, Marble--Concerning a requirement that custodial interrogations related to investigations for certain serious felonies be electronically recorded, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Heath, Hill, Holbert, Jahn, Martinez Humenik, Merrifield, Neville T., Newell, Roberts, Scheffel, and Woods.

**HB16-1211** by Representative(s) Melton; also Senator(s) Baumgardner and Jahn--Concerning licensing marijuana transporters, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:



YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Kerr, Neville T., Steadman, and Woods.

**HB16-1047** by Representative(s) Buck and Winter; also Senator(s) Newell and Roberts--Concerning the adoption of an interstate compact to allow physicians to become licensed in multiple states through an expedited licensure process, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	1	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	N	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Donovan, Garcia, Grantham, Guzman, Heath, Hill, Holbert, Jahn, Jones, Kefalas, Marble, Martinez Humenik, Merrifield, Neville T., Sonnenberg, Steadman, Tate, Todd, and Woods.

**HB16-1345** by Representative(s) Kagan, Court; also Senator(s) Cooke--Concerning the continuation of the sex offender management board, and, in connection therewith, implementing the recommendations of the 2015 sunset report issued by the department of regulatory agencies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	5	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	N	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	N
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		



A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Kerr, and Roberts.

**HB16-1290** by Representative(s) Esqar and Kraft-Tharp; also Senator(s) Kerr and Hill--Concerning an extension of the transitional jobs program, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	8	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	E
Baumgardner	N	Hill	Y	Lundberg	N	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	N	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Heath, Johnston, Kefalas, Newell, Roberts, and Todd.

**HB16-1288** by Representative(s) Kraft-Tharp and Wist; also Senator(s) Tate and Merrifield--Concerning the creation of an industry infrastructure grant program within the state work force development council.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	9	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	E
Baumgardner	N	Hill	Y	Lundberg	N	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	N
Grantham	N	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Donovan, Heath, Hill, Johnston, Newell, and Todd.

**HB16-1440** by Representative(s) Wilson and Pettersen; also Senator(s) Johnston and Holbert--Concerning reducing administrative requirements that pertain to the elementary and secondary public education system.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Garcia, Heath, Hill, Jahn, Kefalas, Kerr, Martinez Humenik, Newell, Sonnenberg, Todd, and Woods.

**HB16-1404** by Representative(s) Duran and Wist; also Senator(s) Cooke and Guzman--Concerning the regulation of fantasy contests, and in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	7	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	N	Hill	Y	Lundberg	N	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Tate	N
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cadman, Hill, Jahn, Johnston, and Kerr.

**HB16-1398** by Representative(s) Young and Landgraf; also Senator(s) Martinez Humenik and Steadman--Concerning the requirement that the department of human services use a request-for-proposal process to contract with an entity to implement recommendations of the respite care task force, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	6	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	N	Hill	Y	Lundberg	Y	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	N	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Kefalas, Newell, Roberts, and Todd.

**HB16-1261** by Representative(s) Pabon, Conti, Court, Foote, Garnett, Kagan, Priola, Roupe, Wilson; also Senator(s) Jahn and Baumgardner--Concerning continuation of the Colorado retail marijuana code, and, in connection therewith, implementing the recommendations of the 2015 sunset report issued by the department of regulatory agencies and making an

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Scheffel and Steadman.

**HB16-1234** by Representative(s) Klingenschmitt and Singer, Everett, Lundeen, Wilson, Windholz; also Senator(s) Merrifield and Marble--Concerning the consideration of methods for selecting state assessment alternatives that maintain the existing state assessment requirements, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Carroll, Holbert, Neville T., Todd, and Woods.

**HB16-1289** by Representative(s) Duran and Esgar; also Senator(s) Garcia and Crowder--Concerning incentives for local education providers to encourage high school students to successfully complete career development course work.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	10	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	E
Baumgardner	N	Hill	Y	Lundberg	N	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	N	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	N	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	N
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Donovan, Heath, Kefalas, Martinez Humenik, Newell, Roberts, Tate, and Todd.

**HB16-1386** by Representative(s) Kraft-Tharp; also Senator(s) Steadman--Concerning a program to cover vulnerable populations' costs of acquiring necessary documents, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	10	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	E
Baumgardner	N	Hill	N	Lundberg	Y	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	N	Holbert	N	Martinez Humenik	Y	Tate	N
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	N
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Heath, Jones, Kefalas, Merrifield, Newell, and Todd.

**HB16-1429** by Representative(s) Pettersen and Wilson; also Senator(s) Kerr--Concerning alternative education campuses, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	8	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	E
Baumgardner	N	Hill	Y	Lundberg	N	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	N
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Guzman, Heath, Newell, Steadman, and Todd.

**HB16-1194** by Representative(s) Mitsch Bush and Becker J., Priola, Dore, Rankin, Arndt, Lebsock, Williams, Pabon, Brown, Danielson, Duran, Esgar, Ginal, Vigil; also Senator(s) Sonnenberg--Concerning a temporary income tax deduction for a portion of lease payments received by a qualified taxpayer for leasing the taxpayer's agricultural asset to an eligible beginning farmer or rancher.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	9	NO	24	EXCUSED	2	ABSENT	0
Aguilar	N	Heath	Y	Lambert	N	Scott	E
Baumgardner	N	Hill	N	Lundberg	N	Sonnenberg	Y
Carroll	Y	Hodge	N	Marble	N	Steadman	N
Cooke	N	Holbert	N	Martinez Humenik	N	Tate	N
Crowder	Y	Jahn	N	Merrifield	N	Todd	N
Donovan	Y	Johnston	N	Neville T.	N	Ulibarri	E
Garcia	N	Jones	N	Newell	N	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	N	President	N
Guzman	N	Kerr	N	Scheffel	Y		

Less than a majority of all members elected to the Senate having voted in the affirmative, the bill **lost**.

**HB16-1424** by Representative(s) Vigil, Conti, Roupe; also Senator(s) Garcia--Concerning qualifications for the administration of medications in facilities, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Lundberg, and Martinez Humenik.

**HB16-1422** by Representative(s) Hamner and Rankin; also Senator(s) Lambert and Steadman--Concerning financing public schools, and, in connection therewith, making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Kerr was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.051), by Senator Kerr.

Amend revised bill, page 15, line 5, strike "OTHER".

Page 15, line 6, after "THAT" insert "IS NOT OTHERWISE ADDRESSED IN SUBSECTION (2) OF THIS SECTION OR IN THIS SUBSECTION (3) AND THAT".



The amendment was **passed** on the following roll call vote:

YES	31	NO	2	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	N
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

Co-sponsor(s) added: Cadman, Heath, Johnston, Kefalas, Kerr, Martinez Humenik, Scheffel, Tate, and Todd.

Senate in recess. Senate reconvened.

On motion of Majority Leader Scheffel, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB16-215, SB16-217, HB16-1438, SB16-213, HB16-1267, HB16-1222, HB16-1321, SB16-197, HB16-1439, and HB16-1426 were made Special Orders at 7:02 p.m.

Committee of the Whole

The hour of 7:02 p.m. having arrived, Senator Holbert moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Holbert was called to act as Chair.

**SPECIAL ORDERS -- SECOND READING OF BILLS**

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

**SB16-215**

by Senator(s) Tate; also Representative(s) Young--Concerning modifications to the implementation of the state's payroll system that will allow all state employees to be paid twice a month.

Ordered engrossed and placed on the calendar for third reading and final passage.

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- SB16-217** by Senator(s) Hill; also Representative(s) Williams--Concerning measures to expedite the litigation of workers' compensation claims. 1  
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Ordered engrossed and placed on the calendar for third reading and final passage. 5  
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- HB16-1438** by Representative(s) Winter; also Senator(s) Martinez Humenik--Concerning the provision of reasonable accommodations by an employer for persons who have a condition related to pregnancy. 8  
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Ordered revised and placed on the calendar for third reading and final passage. 12  
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- SB16-213** by Senator(s) Scheffel and Ulibarri; also Representative(s) Singer and DelGrosso--Concerning developing practices for construction defect litigation. 15  
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Amendment No. 1, Appropriations Committee Amendment. 18  
(Printed in Senate Journal, May 6, page(s) 1114, and placed in members' bill files.) 19  
20  
As amended, ordered engrossed and placed on the calendar for third reading and final passage. 21  
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- HB16-1267** by Representative(s) Lee and Fields, Duran; also Senator(s) Woods and Carroll, Cadman--Concerning the "Colorado Veterans' Service-to-Career Pilot Program", and, in connection therewith, creating a grant program through the department of labor and employment to aid work force centers in supporting veterans and their spouses seeking new employment and careers, and making an appropriation. 25  
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Amendment No. 1, Appropriations Committee Amendment. 31  
(Printed in Senate Journal, May 6, page(s) 1112, and placed in members' bill files.) 32  
33  
Amendment No. 2(L.012), by Senator Steadman. 34  
35  
Amend the Appropriations Committee Report, dates May 6, 2016, page 36  
1, strike lines 1 through 3 and substitute: 37  
38  
"Amend reengrossed bill, page 7, strike lines 3 through 5 and substitute 39  
"JULY 1, 2016, THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE 40  
MONEY FROM THE MARIJUANA TAX CASH FUND CREATED IN SECTION 41  
39-28.8-501, C.R.S., TO THE DEPARTMENT TO BE USED FOR THE 42  
PROGRAM. THE". 43  
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As amended, ordered revised and placed on the calendar for third reading and final passage. 45  
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- HB16-1222** by Representative(s) Rankin and Tyler, Dore, Thurlow, Wilson, Garnett, Hamner, Lee, Moreno, Pettersen; also Senator(s) Todd and Hill--Concerning increasing the availability of supplemental online education resources, and, in connection therewith, creating the statewide supplemental online and blended learning program and making an appropriation. 49  
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Amendment No. 1, Finance Committee Amendment. 54  
(Printed in Senate Journal, May 3, page(s) 1024-1025, and placed in members' bill files.) 55  
56  
As amended, ordered revised and placed on the calendar for third reading and final passage. 57  
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- HB16-1321** by Representative(s) Young; also Senator(s) Merrifield and Tate--Concerning medicaid buy-in for persons eligible for certain medicaid waivers, and, in connection therewith, making an appropriation. 61  
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Amendment No. 1, Appropriations Committee Amendment. 65  
(Printed in Senate Journal, May 6, page(s) 1113, and placed in members' bill files.) 66  
67  
As amended, ordered revised and placed on the calendar for third reading and final passage. 68  
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**SB16-197**

by Senator(s) Steadman; also Representative(s) Williams and Nordberg--Concerning the retail sale of alcohol beverages, and, in connection therewith, permitting a liquor-licensed drugstore licensee to have an interest in additional liquor-licensed drugstore licenses; requiring a liquor-licensed drugstore seeking to acquire additional liquor-licensed drugstore licenses between January 1, 2017, and January 1, 2027, to apply to transfer ownership, change location, and merge and convert two existing retail liquor store licenses to a liquor-licensed drugstore license; requiring a liquor-licensed drugstore licensee to designate a manager to conduct the licensee's alcohol beverage operations; establishing a liquor-licensed drugstore manager's permit; removing the maximum alcohol content of fermented malt beverages; setting application and annual fees; expanding the products that retail liquor stores may sell; allowing a retail liquor store licensee to obtain additional retail liquor store licenses; and prohibiting liquor-licensed drugstores from advertising, offering to sell, or selling alcohol beverages below the liquor-licensed drugstore's cost.

Amendment No. 1, Business, Labor & Technology Committee Amendment.  
(Printed in Senate Journal, May 6, page(s) 1102-1109, and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.  
(Printed in Senate Journal, May 6, page(s) 1113, and placed in members' bill files.)

Amendment No. 3(L.011), by Senator Steadman.

Amend the Business, Labor, and Technology Committee Report, dated May 6, 2016, page 2, lines 21 and 22, strike "FEWER OR IN AN UNINCORPORATED AREA OF A COUNTY," and substitute "FEWER,".

Page 3 of the report, strike lines 22 through 26.

Page 3 of the report, strike lines 30 and 31.

Page 6 of the report, line 14, after "COLORADO." add "ADDITIONALLY, THE WORKING GROUP SHALL EXAMINE AND MAKE RECOMMENDATIONS REGARDING LAWS GOVERNING TASTINGS CONDUCTED ON RETAIL PREMISES LICENSED UNDER ARTICLE 47 OF THIS TITLE AND THE ABILITY OF RETAIL LIQUOR STORES LICENSED UNDER SECTION 12-47-407 TO SELL GROWLERS CONTAINING MALT LIQUORS.".

Page 7 of the report, strike line 21 and substitute:

"Page 13 of the printed bill, after line 9 insert:".

Page 7 of the report, line 23, strike "liquors, KEGS AND GROWLERS," and substitute "liquors".

Page 7 of the report, strike line 24.

Page 7 of the report, line 25, strike "LICENSED PREMISES,".

Page 7 of the report, after line 36 insert:

"Page 13 of the bill, line 23, after "12-47-408" insert "ON OR AFTER JANUARY 1, 2017,".

Page 13 of the bill, after line 26 insert:".

Page 7 of the report, line 37, strike "7." and substitute "8.".

Page 8 of the report, strike line 1 and substitute "(9); and".

Page 8 of the report, strike lines 32 through 41.

Page 9 of the report, strike lines 1 through 8.

Page 9 of the report, lines 20 and 21, strike "FEWER OR IN AN UNINCORPORATED AREA OF A COUNTY," and substitute "FEWER,".

Page 11 of the report, lines 9 and 10, strike "FEWER OR IN AN UNINCORPORATED AREA OF A COUNTY," and substitute "FEWER,".

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Page 11 of the report, line 19, strike "KEGS AND".

Page 11 of the report, strike line 20.

Page 11 of the report, line 21, strike "ON THE LICENSED PREMISES, AND".

Page 13 of the report, line 8, strike "17." and substitute "18.".

Page 13 of the report, line 10, after "act," insert "section 12-47-202 (2) (a) (I) (S), Colorado Revised Statutes, as repealed in section 7 of this act,".

Page 13 of the report, line 11, strike "15" and substitute "16".

Page 13 of the report, line 13, strike "18." and substitute "19.".

Amendment No. 4(L.012), by Senator Steadman.

Amend printed bill, page 4, line 3, strike "(8), and (9)" and substitute "and (8)".

As amended, ordered revised and placed on the calendar for third reading and final passage.

**HB16-1439** by Representative(s) Garnett; also Senator(s) Holbert--Concerning the creation of a new alcohol beverage license under the "Colorado Liquor Code" to permit a lodging and entertainment facility to sell alcohol beverages by the drink for consumption on the licensed premises, and, in connection therewith, allowing the holder of a tavern license to convert the tavern license to a lodging and entertainment license or other appropriate license under specified conditions.

Ordered revised and placed on the calendar for third reading and final passage.

**HB16-1426** by Representative(s) Primavera and Willett; also Senator(s) Tate and Jahn--Concerning intentional misrepresentation of entitlement to an assistance animal.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.  
(Printed in Senate Journal, May 6, page(s) 1100, and placed in members' bill files.)

Amendment No. 2(L.012), by Senator Tate.

Amend reengrossed bill, page 5, strike line 7 and substitute "ANIMAL UNDER TITLE II AND TITLE III OF THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ.;".

Page 5, lines 22 and 23, strike "ANIMAL, OTHER THAN A SERVICE ANIMAL," and substitute "ANIMAL".

Page 6, strike line 3 and substitute "REGULATIONS AND INCLUDES A HANDICAP AS THAT TERM IS DEFINED IN THE FEDERAL "FAIR HOUSING ACT", 42 U.S.C. SEC. 3601 ET SEQ., AS AMENDED, AND 24 CFR 100.201.".

Page 6, strike line 23 and substitute "ANIMAL UNDER TITLE II AND TITLE III OF THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ.;".

Page 7, lines 11 and 12, strike "ANIMAL, OTHER THAN A SERVICE ANIMAL," and substitute "ANIMAL".

Page 7, strike line 19 and substitute "REGULATIONS AND INCLUDES A HANDICAP AS THAT TERM IS DEFINED IN THE FEDERAL "FAIR HOUSING ACT", 42 U.S.C. SEC. 3601 ET SEQ., AS AMENDED, AND 24 CFR 100.201.".

Page 8, strike line 12 and substitute "ANIMAL UNDER TITLE II AND TITLE III OF THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ.;".

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Page 8, line 27 and page 9, line 1, strike "ANIMAL, OTHER THAN A SERVICE ANIMAL," and substitute "ANIMAL".

Page 9, strike line 8 and substitute "REGULATIONS AND INCLUDES A HANDICAP AS THAT TERM IS DEFINED IN THE FEDERAL "FAIR HOUSING ACT", 42 U.S.C. SEC. 3601 ET SEQ., AS AMENDED, AND 24 CFR 100.201.".

Page 12, lines 13 and 14, strike "ANIMAL, OTHER THAN A SERVICE ANIMAL," and substitute "ANIMAL".

Page 12, strike line 21 and substitute "REGULATIONS AND INCLUDES A HANDICAP AS THAT TERM IS DEFINED IN THE FEDERAL "FAIR HOUSING ACT", 42 U.S.C. SEC. 3601 ET SEQ., AS AMENDED, AND 24 CFR 100.201.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

On motion of Senator Holbert, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB16-215, SB16-217, SB16-213 as amended, SB16-197 as amended, HB16-1438, HB16-1267 as amended, HB16-1222 as amended, HB16-1321 as amended, HB16-1439, HB16-1426 as amended.

**RECONSIDERATION OF HB16-1194**

**HB16-1194** by Representative(s) Mitsch Bush and Becker J., Priola, Dore, Rankin, Arndt, Lebsack, Williams, Pabon, Brown, Danielson, Duran, Esgar, Ginal, Vigil; also Senator(s) Sonnenberg--Concerning a temporary income tax deduction for a portion of lease payments received by a qualified taxpayer for leasing the taxpayer's agricultural asset to an eligible beginning farmer or rancher.

Having voted on the prevailing side, Assistant Majority Leader Lundberg moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on HB16-1194.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

**THIRD READING OF BILLS -- FINAL PASSAGE (cont'd)**

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

**HB16-1194** by Representative(s) Mitsch Bush and Becker J., Priola, Dore, Rankin, Arndt, Lebsock, Williams, Pabon, Brown, Danielson, Duran, Esgar, Ginal, Vigil; also Senator(s) Sonnenberg--Concerning a temporary income tax deduction for a portion of lease payments received by a qualified taxpayer for leasing the taxpayer's agricultural asset to an eligible beginning farmer or rancher.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	8	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	E
Baumgardner	N	Hill	N	Lundberg	N	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	N	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder.

**CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS**

**SB16-135** by Senator(s) Aguilar; also Representative(s) Ginal--Concerning a pharmacist's provision of health care services that have been delegated by another health care provider.

Senator Aguilar moved that the Senate concur in House amendments to SB16-135, as printed in House journal, May 3, page(s) 1177. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

**SB16-189** by Senator(s) Scott, Johnston, Roberts, Scheffel, Steadman; also Representative(s) Foote, Dore, Kagan, McCann, Willett--Concerning the nonsubstantive revision of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, imperfect, and inoperative law to preserve the legislative intent, effect, and meaning of the law.

Laid over until Monday, May 9, retaining its place on the calendar.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of House Adherence Calendar (HB16-1183) of Friday, May 6 was laid over until Monday, May 9, retaining its place on the calendar.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORTS**

**SB16-062** by Senator(s) Marble, Grantham, Neville T., Lambert, Woods, Holbert, Lundberg, Scheffel, Cooke, Crowder, Hill, Martinez Humenik, Sonnenberg, Tate; also Representative(s) Becker J. and Vigil, Saine, Brown, Everett, Willett, Ransom, Wist, Sias, Nordberg, Joshi, Lundeen, Klingenschmitt, Buck, Navarro, Neville P., Humphrey--Concerning modifications to the regulation of veterinary pharmaceuticals.

Senator Marble moved for the adoption of the first report of the first conference committee on **SB16-062**, as printed in Senate journal, April 22, page(s) 1010-1011. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:



YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Donovan.

**SB16-021**

by Senator(s) Donovan, Aguilar, Guzman, Heath, Hodge, Johnston, Jones, Kefalas, Kerr, Merrifield, Newell, Steadman, Todd; also Representative(s) Mitsch Bush and Becker K.-- Concerning recognition of the third Saturday in May as a state holiday, and, in connection therewith, designating the third Saturday in May as "Public Lands Day".

Senator Donovan moved for the adoption of the first report of the first conference committee on **SB16-021**, as printed in Senate journal, May 5, page(s) 1068-1069. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	29	NO	4	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	N	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Crowder and Garcia.

**SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS**

The President has signed: SB16-006, 111, 132, 140, 147, 156, 164, 165, 173, 177, 182, and 192.

**RECONSIDERATION OF SB16-021**

**SB16-021** by Senator(s) Donovan, Aguilar, Guzman, Heath, Hodge, Johnston, Jones, Kefalas, Kerr, Merrifield, Newell, Steadman, Todd; also Representative(s) Mitsch Bush and Becker K.-- Concerning recognition of the third Saturday in May as a state holiday, and, in connection therewith, designating the third Saturday in May as "Public Lands Day".

Having voted on the prevailing side, Majority Leader Scheffel moved for reconsideration of the last Senate action, Repassage of SB16-021.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

**REPASSAGE OF SB16-021**

**SB16-021** by Senator(s) Donovan, Aguilar, Guzman, Heath, Hodge, Johnston, Jones, Kefalas, Kerr, Merrifield, Newell, Steadman, Todd; also Representative(s) Mitsch Bush and Becker K.-- Concerning recognition of the third Saturday in May as a state holiday, and, in connection therewith, designating the third Saturday in May as "Public Lands Day".

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	25	NO	8	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	N	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	N	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	E
Garcia	Y	Jones	Y	Newell	Y	Woods	N
Grantham	N	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Senate in recess.                      Senate reconvened.

**INTRODUCTION OF BILLS -- FIRST READING**

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

**SB16-218** by Senator(s) Lambert and Steadman, Grantham; also Representative(s) Hamner and Rankin, Young--Concerning matters related to state severance tax refunds.  
Appropriations

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On motion of Majority Leader Scheffel, the Senate adjourned until 10:00 a.m., Monday,  
May 9, 2016.

Approved:

Bill L. Cadman  
President of the Senate

Attest:

Effie Ameen  
Secretary of the Senate

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