

SENATE JOURNAL
 Seventieth General Assembly
STATE OF COLORADO
 Second Regular Session

91st Legislative Day Tuesday, April 12, 2016

Prayer	By the chaplain, Dan File, Capitol Commission, Lake City.	1 2 3 4 5 6 7 8 9 10 11
Call to Order	By the President at 9:00 a.m.	12 13 14 15
Roll Call	Present--32 Excused--3, Hodge, Johnston, Sonnenberg. Present later--2, Hodge, Johnston.	16 17 18 19
Quorum	The President announced a quorum present.	20 21
Pledge	By Senator Cooke.	22 23
Reading of Journal	On motion of Senator Merrifield, reading of the Journal of Monday, April 11, 2016, was dispensed with, and the Journal was approved as corrected by the Secretary.	24 25 26 27

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB16-1335 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	30 31 32 33 34 35 36 37
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB16-1210 be postponed indefinitely .	38 39 40 41 42 43
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB16-1294 be postponed indefinitely .	44 45 46 47 48 49
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB16-156 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.	50 51 52 53 54
	Amend printed bill, strike everything below the enacting clause and substitute:	55 56 57
	" SECTION 1. In Colorado Revised Statutes, 2-3-101, amend (1) as follows:	58 59
	2-3-101. Legislative audit committee - membership - meetings - powers and duties. (1) There is hereby created a legislative audit committee, hereinafter referred to IN THIS PART 1 as the "committee". The membership of the committee shall consist CONSISTS of four senators, two from each major political party, to be appointed by the president AND THE MINORITY LEADER of the senate, RESPECTIVELY, with the approval of a majority of the members elected to the senate and four representatives, two from each major political party, to be appointed by	60 61 62 63 64 65 66 67

the speaker AND THE MINORITY LEADER of the house of representatives, RESPECTIVELY, with the approval of a majority of the members elected to the house of representatives. Appointments to the committee shall be made no later than sixty days after the convening of the first regular session of the general assembly held in each odd-numbered year. AN APPOINTING AUTHORITY MAY MAKE AN APPOINTMENT TO TEMPORARILY REPLACE A CURRENT MEMBER OF THE COMMITTEE APPOINTED BY THAT APPOINTING AUTHORITY; EXCEPT THAT, A TEMPORARY APPOINTMENT DOES NOT REQUIRE APPROVAL OF A MAJORITY OF THE MEMBERS ELECTED TO THE APPLICABLE BODY. Membership on the committee shall terminate TERMINATES with the appointment of a member's successor or upon the termination of a member's term of office in the general assembly, whichever occurs first, and any member may be appointed to succeed himself OR HERSELF on the committee. Vacancies in the committee's membership shall be filled in the same manner as original appointments; except that the approval of the members elected to the general assembly is not necessary if any such appointment is made when the general assembly is not in session.

SECTION 2. In Colorado Revised Statutes, 2-3-301, **amend** (1) and (2) as follows:

2-3-301. Legislative council created - executive committee created. (1) There is hereby created a legislative council, referred to in this part 3 as the "council", which shall consist CONSISTS of an executive committee, six senators to be WITH MAJORITY PARTY MEMBERS appointed by the president of the senate AND MINORITY PARTY MEMBERS APPOINTED BY THE MINORITY LEADER OF THE SENATE, with the approval of a majority vote of the members elected to the senate, and six representatives to be WITH MAJORITY PARTY MEMBERS appointed by the speaker of the house of representatives AND MINORITY PARTY MEMBERS APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES, with the approval of a majority vote of the members elected to the house of representatives. Except as otherwise provided in subsection (1.5) of this section, the executive committee shall be comprised CONSISTS of the president of the senate, the majority leader of the senate, the minority leader of the senate, the speaker of the house of representatives, the majority leader of the house of representatives, and the minority leader of the house of representatives, all of whom shall be ARE ex officio members of the council. The speaker of the house of representatives and the president of the senate shall alternately serve as the chairman CHAIR and vice-chairman VICE-CHAIR of the executive committee and shall serve for one-year terms. All ex officio members of the council shall have and MAY exercise all the powers, privileges, and duties of other members.

(2) Appointments or reappointments of all members of the council shall be made no later than ten days after the convening of the first regular session of each general assembly. AN APPOINTING AUTHORITY MAY MAKE AN APPOINTMENT TO TEMPORARILY REPLACE A CURRENT MEMBER OF THE COMMITTEE APPOINTED BY THAT APPOINTING AUTHORITY; EXCEPT THAT, A TEMPORARY APPOINTMENT DOES NOT REQUIRE APPROVAL OF A MAJORITY OF THE MEMBERS ELECTED TO THE APPLICABLE BODY. Membership on the council shall terminate TERMINATES with the appointment of a member's successor or upon the termination of a member's term of office in the general assembly, whichever first occurs. A member may be appointed to succeed himself or herself.

SECTION 3. In Colorado Revised Statutes, 2-3-302, **amend** (1) as follows:

2-3-302. Organization - meetings. (1) The council shall select a chairman and vice-chairman from among its membership, who shall serve for one-year terms CHAIR AND VICE-CHAIR OF THE EXECUTIVE COMMITTEE SHALL SERVE AS THE CHAIR AND VICE-CHAIR OF THE COUNCIL; and it THE COUNCIL shall prescribe its own rules of procedure, and may appoint subcommittees from the membership of the general assembly and other persons to assist in carrying out its functions.

SECTION 4. In Colorado Revised Statutes, 2-3-502, **amend** (3) and (4) as follows:

2-3-502. Committee on legal services - membership - duties.

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(3) The membership of the committee ~~shall consist~~ CONSISTS of ten members of the general assembly. The ten legislative members of the committee ~~shall be~~ ARE as follows: The respective ~~chairmen~~ CHAIRS of the house and senate committees on judiciary or their respective designees; four members from the house of representatives, two from each major political party, one of whom shall be an attorney-at-law, if there is an attorney-at-law in each party, appointed by the speaker AND THE MINORITY LEADER of the house of representatives, RESPECTIVELY, with the approval of a majority of the members elected to the house of representatives; and four members from the senate, two from each major political party, one of whom shall be an attorney-at-law, if there is an attorney-at-law in each party, appointed by the president AND THE MINORITY LEADER of the senate, RESPECTIVELY, with the approval of a majority of the members elected to the senate.

(4) The eight appointive members of the committee shall be appointed no later than ten days after the convening of the first regular session of each general assembly. ~~except that initial appointments after June 13, 1985, shall be made within ten days after such date.~~ AN APPOINTING AUTHORITY MAY MAKE AN APPOINTMENT TO TEMPORARILY REPLACE A CURRENT MEMBER OF THE COMMITTEE APPOINTED BY THAT APPOINTING AUTHORITY. IN ADDITION, THE PRESIDENT OF THE SENATE MAY MAKE AN APPOINTMENT TO TEMPORARILY REPLACE THE CHAIR OF THE SENATE COMMITTEE ON JUDICIARY OR THE CHAIR'S RESPECTIVE DESIGNEE CURRENTLY SERVING ON THE COMMITTEE AND THE SPEAKER OF THE HOUSE OF THE REPRESENTATIVES MAY MAKE AN APPOINTMENT TO TEMPORARILY REPLACE THE CHAIR OF THE HOUSE COMMITTEE ON JUDICIARY OR THE CHAIR'S DESIGNEE CURRENTLY SERVING ON THE COMMITTEE; EXCEPT THAT, A TEMPORARY APPOINTMENT MADE PURSUANT TO THIS SUBSECTION (4) DOES NOT REQUIRE APPROVAL OF A MAJORITY OF THE MEMBERS ELECTED TO THE APPLICABLE BODY. Membership on the committee of each such appointive member ~~shall terminate~~ TERMINATES upon the appointment of his OR HER successor or upon termination of A MEMBER'S TERM OF office in the general assembly, whichever first occurs. The membership of a judiciary committee ~~chairman shall terminate~~ CHAIR TERMINATES upon the termination of his OR HER TERM OF office in the designated position. Any member may be appointed to succeed himself OR HERSELF on the committee. Vacancies in the committee's membership shall be filled in the same manner as original appointments; except that the approval of the members elected to the general assembly is not necessary if any such appointment is made when the general assembly is not in session.

SECTION 5. 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, line 103, strike "COMMITTEES" and substitute "COMMITTEES, ALLOWING TEMPORARY APPOINTMENTS TO THE COMMITTEES,".

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1156** be **referred** to the Committee of the Whole with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **HB16-1268** be **referred** to the Committee of the Whole with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **HB16-1308** be **postponed indefinitely**.

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Judiciary

After consideration on the merits, the Committee recommends that **SB16-056** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

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

"SECTION 1. In Colorado Revised Statutes, **amend** 24-50.5-101 as follows:

24-50.5-101. Legislative declaration. (1) The general assembly hereby declares that the people of Colorado are entitled to information about the workings of state government in order to reduce the waste and mismanagement of public funds, to reduce abuses in government authority, and to prevent illegal and unethical practices. The general assembly further declares that employees of the state of Colorado are citizens first and have a right and a responsibility to behave as good citizens in our common efforts to provide sound management of governmental affairs. To help achieve these objectives, the general assembly declares that state employees should be encouraged to disclose information on actions of state agencies that are not in the public interest and that legislation is needed to ensure that any employee making such disclosures shall not be subject to disciplinary measures or harassment by any public official.

(2) THE GENERAL ASSEMBLY FURTHER DECLARES THAT THE PURPOSE OF THE CREATION OF WHISTLEBLOWER REVIEW AGENCIES IN THIS ARTICLE IS TO PROVIDE A MECHANISM FOR DETERMINING WHETHER INFORMATION ABOUT STATE OPERATIONS OR CONDUCT PROVIDED BY A STATE EMPLOYEE MAY BE MADE PUBLIC BY A STATE EMPLOYEE WHISTLEBLOWER, EITHER TO MEMBERS OF THE GENERAL ASSEMBLY OR ULTIMATELY TO THE PUBLIC, WHILE PROTECTING THAT STATE EMPLOYEE FROM PUNITIVE ACTION AND WHILE MAINTAINING THE CONFIDENTIAL NATURE OF INFORMATION WHERE REQUIRED BY LAW.

SECTION 2. In Colorado Revised Statutes, 24-50.5-102, **add** (6) as follows:

24-50.5-102. Definitions. As used in this article, unless the context otherwise requires:

(6) "WHISTLEBLOWER REVIEW AGENCY" MEANS THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES UNDER PART 5 OF ARTICLE 3 OF TITLE 2, C.R.S., OR THE DIRECTOR'S DESIGNEE, THE ATTORNEY GENERAL UNDER ARTICLE 31 OF THIS TITLE, OR THE ATTORNEY GENERAL'S DESIGNEE, OR THE STATE COURT ADMINISTRATOR UNDER SECTION 13-3-101, C.R.S., OR THE STATE COURT ADMINISTRATOR'S DESIGNEE.

SECTION 3. In Colorado Revised Statutes, **amend** 24-50.5-103 as follows:

24-50.5-103. Retaliation prohibited. (1) Except as provided in subsection (2) of this section, ~~no~~ AN appointing authority or supervisor shall NOT initiate or administer any disciplinary action against an employee on account of the employee's disclosure of information. This ~~section shall~~ SUBSECTION (1) DOES not apply to AN EMPLOYEE WHO DISCLOSES:

(a) ~~An employee who discloses~~ Information that he OR SHE knows to be false or who discloses information with disregard for the truth or falsity thereof OF THE INFORMATION;

(b) ~~An employee who discloses~~ Information from public records ~~which~~ THAT are closed to public inspection pursuant to section 24-72-204; OR

(c) ~~An employee who discloses~~ WITHOUT LAWFUL AUTHORITY, information ~~which~~ THAT is confidential under any other provision of law.

(2) ~~It shall be the obligation of~~ An employee who wishes to disclose information under the protection of this article IS OBLIGATED to make a good-faith effort to provide to his OR HER supervisor or appointing authority or member of the general assembly the information to be disclosed prior to the time of its disclosure.

(3) SUBSECTION (2) AND PARAGRAPHS (b) AND (c) OF SUBSECTION (1) OF THIS SECTION DO NOT APPLY TO AN EMPLOYEE WHO DISCLOSES INFORMATION TO A WHISTLEBLOWER REVIEW AGENCY.

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(4) AN EMPLOYEE SHALL DISCLOSE INFORMATION UNDER SUBSECTION (3) OF THIS SECTION TO THE ATTORNEY GENERAL OR THE ATTORNEY GENERAL'S DESIGNEE UNLESS THE INFORMATION DISCLOSED INVOLVES AN OFFICER OR EMPLOYEE OF THE DEPARTMENT OF LAW. IF THE INFORMATION DISCLOSED UNDER SUBSECTION (3) OF THIS SECTION INVOLVES AN OFFICER OR EMPLOYEE OF THE DEPARTMENT OF LAW, AN EMPLOYEE MAY DISCLOSE THE INFORMATION TO ANY WHISTLEBLOWER REVIEW AGENCY. ACCESS TO INFORMATION RECEIVED BY A WHISTLEBLOWER REVIEW AGENCY UNDER THIS SECTION IS LIMITED TO ONLY THOSE PERSONS CONDUCTING THE REVIEW.

(5) (a) (I) WITHIN THIRTY DAYS AFTER RECEIPT OF ANY INFORMATION DISCLOSED UNDER SUBSECTION (3) OF THIS SECTION, A WHISTLEBLOWER REVIEW AGENCY SHALL DETERMINE IN WRITING WHETHER OR NOT THE INFORMATION IS:

(A) CLOSED TO PUBLIC INSPECTION UNDER SECTION 24-72-204;
OR

(B) CONFIDENTIAL UNDER ANY OTHER PROVISION OF LAW.

(II) EACH WHISTLEBLOWER REVIEW AGENCY SHALL MAINTAIN THE CONFIDENTIAL NATURE OF ANY INFORMATION DETERMINED TO BE CLOSED TO PUBLIC INSPECTION OR CONFIDENTIAL UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH (a).

(b) IF A WHISTLEBLOWER REVIEW AGENCY DETERMINES THAT ANY INFORMATION DISCLOSED UNDER SUBSECTION (3) OF THIS SECTION INCLUDES TRADE SECRETS, OR CONFIDENTIAL COMMERCIAL, FINANCIAL, GEOLOGICAL, OR GEOPHYSICAL DATA, THE WHISTLEBLOWER REVIEW AGENCY SHALL MAINTAIN THE CONFIDENTIAL NATURE OF THE INFORMATION.

(c) (I) IF THERE IS A SUBSTANTIAL LIKELIHOOD THAT INFORMATION DISCLOSED UNDER SUBSECTION (3) OF THIS SECTION TO A WHISTLEBLOWER REVIEW AGENCY WILL BE RELEASED TO THE PUBLIC FOR REASONS INCLUDING THAT THE WHISTLEBLOWER REVIEW AGENCY DETERMINES IN WRITING THAT THE INFORMATION IS NOT CONFIDENTIAL, THAT A REQUEST FOR INSPECTION OF THE INFORMATION EXISTS UNDER PART 2 OF ARTICLE 72 OF THIS TITLE, OR THAT A PERSON REQUESTS A COURT TO COMPEL RELEASE OF THE INFORMATION, THE WHISTLEBLOWER REVIEW AGENCY SHALL IMMEDIATELY GIVE WRITTEN NOTICE TO THE OWNER OF THE INFORMATION THAT THE WHISTLEBLOWER REVIEW AGENCY IS IN POSSESSION OF THE INFORMATION IN CONNECTION WITH A DISCLOSURE OF INFORMATION UNDER SUBSECTION (3) OF THIS SECTION. WRITTEN NOTICE UNDER THIS PARAGRAPH (c) TOLLS THE TIME PERIOD FOR THE INSPECTION OF RECORDS UNDER SECTION 24-72-203 (3) UNTIL A REASONABLE TIME AFTER THE THIRTY-DAY TIME PERIOD SPECIFIED IN SUBSECTION (6) OF THIS SECTION AND THE CONCLUSION OF ANY LEGAL PROCEEDINGS UNDER SUBSECTION (6) OF THIS SECTION. A WHISTLEBLOWER REVIEW AGENCY SHALL NOT RELEASE ANY INFORMATION SUBJECT TO A NOTICE UNDER THIS PARAGRAPH (c) UNTIL THIRTY DAYS AFTER THE DATE THAT WRITTEN NOTICE IS GIVEN TO THE OWNER OF THE INFORMATION UNDER THIS PARAGRAPH (c).

(II) THE WRITTEN NOTICE MUST CONTAIN THE DETERMINATION OF THE WHISTLEBLOWER REVIEW AGENCY WITH RESPECT TO WHETHER THE INFORMATION IS CONFIDENTIAL AND THE CIRCUMSTANCES CONSTITUTING A SUBSTANTIAL LIKELIHOOD THAT THE INFORMATION WILL BE RELEASED TO THE PUBLIC.

(III) THE WRITTEN NOTIFICATION REQUIREMENT OF THIS PARAGRAPH (c) DOES NOT APPLY IF A WHISTLEBLOWER REVIEW AGENCY MAKES A GOOD-FAITH EFFORT TO LOCATE THE OWNER OF THE INFORMATION AND REASONABLY DETERMINES THAT THE OWNER CANNOT BE LOCATED.

(6) ANY PERSON NOTIFIED UNDER PARAGRAPH (c) OF SUBSECTION (5) OF THIS SECTION WHO COULD BE HARMED BY THE RELEASE OF INFORMATION DESCRIBED UNDER PARAGRAPH (b) OF SUBSECTION (5) OF THIS SECTION AND DISCLOSED UNDER SUBSECTION (3) OF THIS SECTION TO A WHISTLEBLOWER REVIEW AGENCY MAY, WITHIN THIRTY DAYS AFTER RECEIVING NOTICE UNDER PARAGRAPH (c) OF SUBSECTION (5) OF THIS SECTION, FILE AN ACTION UNDER RULE 65 OF THE COLORADO RULES OF CIVIL PROCEDURE AGAINST THE WHISTLEBLOWER REVIEW AGENCY IN POSSESSION OF THE INFORMATION IN THE DISTRICT COURT FOR THE CITY

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AND COUNTY OF DENVER FOR INJUNCTIVE RELIEF PROHIBITING RELEASE OF THE INFORMATION.

(7) (a) SUBJECT TO SUBSECTION (6) OF THIS SECTION, IMMEDIATELY AFTER RECEIVING ANY INFORMATION UNDER SUBSECTION (3) OF THIS SECTION, A WHISTLEBLOWER REVIEW AGENCY SHALL NOTIFY THE SUPERVISOR OR APPOINTING AUTHORITY OF THE EMPLOYEE THAT THE WHISTLEBLOWER REVIEW AGENCY HAS RECEIVED THE INFORMATION AND THAT NO RETALIATORY ACTION MAY BE TAKEN AGAINST THE EMPLOYEE EXCEPT UNDER THE LIMITED CIRCUMSTANCES DESCRIBED IN PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION.

(b) SUBJECT TO SUBSECTION (6) OF THIS SECTION, WITHIN SIXTY DAYS AFTER RECEIVING ANY INFORMATION UNDER SUBSECTION (3) OF THIS SECTION, A WHISTLEBLOWER REVIEW AGENCY MAY CONFER WITH AND TRANSFER THE INFORMATION TO THE ENTITY HAVING JURISDICTION OR AUTHORITY TO INVESTIGATE ANY ALLEGATION OF UNLAWFUL BEHAVIOR.

(8) EXCEPT AS PROVIDED IN SUBSECTION (5) OF THIS SECTION, IF A WHISTLEBLOWER REVIEW AGENCY DETERMINES THAT THE INFORMATION OR A PORTION OF THE INFORMATION RECEIVED IS NOT PROHIBITED FROM DISCLOSURE UNDER SECTION 24-72-204 OR IS NOT OTHERWISE CONFIDENTIAL UNDER ANY OTHER PROVISION OF LAW, THAT INFORMATION MAY BE RELEASED TO THE GENERAL ASSEMBLY OR THE PUBLIC UPON REQUEST. EACH WHISTLEBLOWER REVIEW AGENCY SHALL MAINTAIN RECORDS OF INFORMATION DISCLOSED TO THE WHISTLEBLOWER REVIEW AGENCY UNDER SUBSECTION (3) OF THIS SECTION AND OF THE ACTION OF THE WHISTLEBLOWER REVIEW AGENCY WITH RESPECT TO THE INFORMATION.

(9) EACH WHISTLEBLOWER REVIEW AGENCY SHALL DESIGNATE A PERSON OR PERSONS AS A POINT OF CONTACT FOR FUNCTIONS UNDER THIS SECTION AND SHALL MAKE THE CONTACT INFORMATION FOR THAT PERSON OR THOSE PERSONS PUBLIC, BOTH ON THE WEBSITE OF THE WHISTLEBLOWER REVIEW AGENCY AND BY ANY OTHER APPROPRIATE MEANS.

(10) IF THE PERSON OR PERSONS DESIGNATED UNDER SUBSECTION (9) OF THIS SECTION BECOME AWARE THAT INFORMATION FROM PUBLIC RECORDS THAT ARE CLOSED TO PUBLIC INSPECTION UNDER SECTION 24-72-204 OR INFORMATION THAT IS OTHERWISE CONFIDENTIAL UNDER THE LAW IS DETERMINED TO HAVE BEEN DISCLOSED AT ANY TIME WITHOUT LAWFUL AUTHORITY, THE PERSON OR PERSONS DESIGNATED IN SUBSECTION (9) OF THIS SECTION SHALL MAKE REASONABLE EFFORTS TO NOTIFY THE OWNER OF THE INFORMATION WITHIN A REASONABLE TIME.

SECTION 4. Effective date - applicability. This act takes effect upon passage and applies to any information disclosed by a state employee to a whistleblower review agency on or after said date.

SECTION 5. 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."

Judiciary

After consideration on the merits, the Committee recommends that **SB16-111** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

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

"SECTION 1. In Colorado Revised Statutes, add 24-33.5-115 as follows:

24-33.5-115. Peace officer authority Colorado mounted rangers study task force - repeal. (1) THERE IS CREATED A PEACE OFFICER AUTHORITY COLORADO MOUNTED RANGERS STUDY TASK FORCE, REFERRED TO IN THIS SECTION AS THE "TASK FORCE", CONVENED TO STUDY AND MAKE RECOMMENDATIONS REGARDING PEACE OFFICER CERTIFICATION AND AUTHORITY FOR THE COLORADO MOUNTED RANGERS. THE TASK FORCE CONSISTS OF:

(a) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC

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SAFETY OR HIS OR HER DESIGNEE, WHO SHALL SERVE AS THE CHAIR OF THE TASK FORCE;

- (b) THE ATTORNEY GENERAL OR HIS OR HER DESIGNEE;
- (c) A REPRESENTATIVE OF THE CHIEFS OF POLICE APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY;
- (d) A COUNTY SHERIFF APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY;
- (e) THE CHIEF OF THE COLORADO STATE PATROL OR HIS OR HER DESIGNEE;
- (f) THE DIRECTOR OF THE COLORADO BUREAU OF INVESTIGATION OR HIS OR HER DESIGNEE;
- (g) THE DIRECTOR OF THE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT OR HIS OR HER DESIGNEE; AND
- (h) THE COLONEL OF THE COLORADO MOUNTED RANGERS.

(2) THE CHAIR OF THE TASK FORCE SHALL CONVENE THE FIRST MEETING OF THE TASK FORCE BY JUNE 1, 2016. THE TASK FORCE SHALL SCHEDULE A SUFFICIENT NUMBER OF MEETINGS IN ORDER TO COMPLETE AND SUBMIT ITS RECOMMENDATIONS PURSUANT TO SUBSECTION (4) OF THIS SECTION PRIOR TO JULY 1, 2017.

(3) THE TASK FORCE SHALL STUDY AND MAKE RECOMMENDATIONS REGARDING WHETHER IT IS APPROPRIATE FOR THE COLORADO MOUNTED RANGERS TO RECEIVE P.O.S.T. PEACE OFFICER CERTIFICATION, AND IF SO:

- (a) THE APPROPRIATE LEVEL OF PEACE OFFICER CERTIFICATION FOR THE COLORADO MOUNTED RANGERS, INCLUDING THE APPROPRIATE AMOUNT OF TRAINING AND SUPERVISION;
- (b) THE APPROPRIATE AGENCY TO HOUSE THE COLORADO MOUNTED RANGERS;
- (c) THE APPROPRIATE LEVEL OF PEACE OFFICER AUTHORITY OF THE COLORADO MOUNTED RANGERS;
- (d) THE STATUS OF A COLORADO MOUNTED RANGER WHEN THE RANGER IS NOT ON DUTY; AND
- (e) ANY OTHER RELEVANT MATTERS.

(4) THE TASK FORCE SHALL PROVIDE RECOMMENDATIONS TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE, OR ANY SUCCESSOR COMMITTEES, REGARDING APPLICATION FOR PEACE OFFICER STATUS PURSUANT TO SECTION 16-2.5-201, C.R.S.

(5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2017.

SECTION 2. 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."

Business,
Labor, &
Technology

The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF PERSONNEL AND ADMINISTRATION

effective May 11, 2015, for a term expiring at the pleasure of the Governor:

Pamela June Taylor of Denver, Colorado, and occasioned by the resignation of Kathy Nesbitt of Denver, Colorado, appointed.

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Business,
Labor, &
Technology

The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
DENVER METROPOLITAN MAJOR LEAGUE STADIUM
DISTRICT BOARD OF DIRECTORS

for terms expiring August 1, 2019:

- F. Robert Lee of Littleton, Colorado, reappointed;
- James L. Basey of Denver, Colorado, appointed;
- Stephanie Forbes Donner of Denver, Colorado, appointed.

Business,
Labor, &
Technology

The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
STATE HISTORICAL SOCIETY
BOARD OF DIRECTORS

for terms expiring July 1, 2016:

- Charles Hildreth Woolley of Denver, Colorado, appointed;
- Robert E. Musgraves of Denver, Colorado, appointed;

for terms expiring July 1, 2017:

- Marco Antonio Abarca of Denver, Colorado, appointed;
- Christopher Weld Tetzeli of Denver, Colorado, appointed;

for a term expiring July 1, 2018:

- Cathey McClain Finlon of Denver, Colorado, appointed.

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **HB16-1317** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

SENATE SERVICES REPORT

Correctly Printed: SB16-184; SCR16-003, 004, and 005; SJR16-030, 031, and 032.
Correctly Engrossed: SB16-113; SJM16-005.

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THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

SB16-113 by Senator(s) Marble, Grantham, Lambert, Cooke, Lundberg, Holbert, Baumgardner, Neville T., Scheffel, Crowder, Hill, Sonnenberg; also Representative(s) Saine and Humphrey, Navarro, Everett, Ransom, Van Winkle, Leonard, Neville P., Carver, Brown, Joshi, Nordberg, Windholz--Concerning the repeal of certain provisions concerning ammunition magazines.

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

YES	20	NO	13	EXCUSED	2	ABSENT	0
Aguilar	N	Heath	N	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	E
Carroll	N	Hodge	E	Marble	Y	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	N	Todd	N
Donovan	Y	Johnston	N	Neville T.	Y	Ulibarri	N
Garcia	Y	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, Scott, and Woods.

Committee of the Whole On motion of Senator Holbert, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Holbert was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

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

HB16-1379 by Representative(s) Kraft-Tharp; also Senator(s) Martinez Humenik--Concerning the criteria under which the state board of psychologist examiners may award professional development credit for specific activities currently included in the continuing professional development program for licensed psychologists.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 8, page(s) 679, and placed in members' bill files.)

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 --
CONSENT CALENDAR**

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	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	E
Carroll	Y	Hodge	E	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		

The Committee of the Whole took the following action:

Passed on second reading: HB16-1379 as amended.

Committee of the Whole On motion of Senator Holbert, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Holbert was called to act as Chair.

GENERAL 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:

SB16-150 by Senator(s) Steadman; also Representative(s) Esgar--Concerning marriages by individuals who are parties to a civil union, and, in connection therewith, prohibiting marriages in circumstances in which one of the parties is already in a civil union with another individual, addressing the legal effect of parties to a civil union marrying each other, clarifying the dissolution process when parties to a civil union marry, and amending the bigamy statute to include parties to a civil union.

Laid over until Wednesday, April 13, retaining its place on the calendar.

SB16-142 by Senator(s) Scott; also Representative(s) Ryden--Concerning modernization of election law provisions, and, in connection therewith, correcting statutory citations, updating terms and procedures to reflect modern elections administration, conforming state law to federal law, eliminating redundancies and obsolete references and practices, and harmonizing durational residency requirements for certain local government elections.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, March 29, page(s) 589, and placed in members' bill files.)

Amendment No. 2(L.009), by Senator Scott.

Amend printed bill, page 9, line 22, strike "1-8.3-103," and substitute "1-8.3-102,".

As amended, laid over until Wednesday, April 13, retaining its place on the calendar.

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SB16-169 by Senator(s) Martinez Humenik and Cooke; also Representative(s) Kraft-Tharp and Landgraf--Concerning changes related to the seventy-two-hour emergency mental health procedure.

(Amended in General Orders as printed in Senate Journal, April 11, page(s) 684.)

As amended, laid over until Wednesday, April 13, retaining its place on the calendar.

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	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	E
Carroll	Y	Hodge	E	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		

The Committee of the Whole took the following action:

Laid over until Wednesday, April 13: SB16-150, SB16-142 as amended, SB16-169 as amended.

CONSIDERATION OF RESOLUTIONS

SJR16-031 by Senator(s) Kerr, Cadman; also Representative(s) Primavera--Concerning the designation of November 2016 as "Bladder Health Month" in Colorado.

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

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

SJR16-032 by Senator(s) Marble; also Representative(s) Buck--Concerning the designation of the overpass across United States Interstate Highway 25 at Kechter Road in Fort Collins as the "Buchanan Liberty Bridge".

Laid over until Friday, April 15, retaining its place on the calendar.

MESSAGE FROM THE HOUSE

April 12, 2016

Mr. President:

The House has adopted and transmits herewith HJR16-1016.
The House has adopted and transmits herewith HJR16-1017.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Memorials Calendar (SM16-002) of Tuesday, April 12 was laid over until Friday, April 15, 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 Governor's Appointments Calendar (Members of the Board of Governors of the Colorado State University System) of Tuesday, April 12 was laid over until Wednesday, April 13, retaining its place on the calendar.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR16-1016 by Representative(s) Ginal and Conti; also Senator(s) Donovan and Tate--Concerning the designation of April 12, 2016, as a day to celebrate Colorado's purebred dogs.

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

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

HJR16-1017 by Representative(s) Danielson and Pettersen, Arndt, Becker K., Buckner, Court, Duran, Esgar, Foote, Lontine, Rosenthal, Williams; also Senator(s) Todd and Aguilar, Carroll, Guzman, Heath, Hodge, Jahn, Kefalas, Kerr, Newell, Steadman, Ulibarri--Concerning the designation of April 12, 2016, as "Equal Pay Day" in Colorado, and, in connection therewith, acknowledging the persisting problem of wage disparity among various groups.

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

YES	26	NO	7	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	N	Sonnenberg	E
Carroll	Y	Hodge	E	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	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	N
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

Co-sponsor(s) added: Crowder, Donovan, Johnston, Jones, Martinez Humenik, Merrifield, and Roberts.

IMMEDIATE RECONSIDERATION OF HJR16-1017

HJR16-1017 by Representative(s) Danielson and Pettersen, Arndt, Becker K., Buckner, Court, Duran, Esgar, Foote, Lontine, Rosenthal, Williams; also Senator(s) Todd and Aguilar, Carroll, Guzman, Heath, Hodge, Jahn, Kefalas, Kerr, Newell, Steadman, Ulibarri--Concerning the designation of April 12, 2016, as "Equal Pay Day" in Colorado, and, in connection therewith, acknowledging the persisting problem of wage disparity among various groups.

Majority Leader Scheffel moved for immediate reconsideration of the last Senate action, Consideration of Resolutions, on HJR16-1017.

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

CONSIDERATION OF RESOLUTIONS (cont'd)

HJR16-1017 by Representative(s) Danielson and Pettersen, Arndt, Becker K., Buckner, Court, Duran, Esgar, Foote, Lontine, Rosenthal, Williams; also Senator(s) Todd and Aguilar, Carroll, Guzman, Heath, Hodge, Jahn, Kefalas, Kerr, Newell, Steadman, Ulibarri--Concerning the designation of April 12, 2016, as "Equal Pay Day" in Colorado, and, in connection therewith, acknowledging the persisting problem of wage disparity among various groups.

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

YES	28	NO	6	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	N	Sonnenberg	E
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	N
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

MESSAGE FROM THE HOUSE

April 12, 2016

Mr. President:

The House has adopted and transmits herewith HJR16-1013, as printed in House Journal.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

HJR16-1013 by Representative(s) Windholz and Rosenthal; also Senator(s) Lundberg--Concerning atrocities against Christians and other ethnic and religious minorities.

Laid over one day under Senate Rule 30(e).

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB16-1405 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2016, except as otherwise noted.

Senator Lambert moved that the Senate conferees on the first conference committee on **HB16-1405** be granted permission to go beyond the scope of the differences between the two houses.

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

Senate in recess.

Senate reconvened.

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COMMITTEE OF REFERENCE REPORTS

Local Government After consideration on the merits, the Committee recommends that **SB16-172** 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 printed bill, page 2, line 13, strike "ORDINANCE" and substitute "RESOLUTION".

Page 2, line 17, strike "COUNTY BOARD OF EQUALIZATION" and substitute "BOARD OF COUNTY COMMISSIONERS".

Page 3, line 5, strike "ORDINANCE" and substitute "RESOLUTION".

Page 3, line 24, strike "ORDINANCE" and substitute "RESOLUTION".

Page 4, strike lines 4 through 13 and substitute:

"SECTION 4. 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."

Local Government After consideration on the merits, the Committee recommends that **SB16-177** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB16-185** by Senator(s) Scott; also Representative(s) Melton--Concerning the allowable finance charge for certain consumer credit transactions.
Finance
- SB16-187** by Senator(s) Hill; also Representative(s) Williams and Sias--Concerning measures affecting the operation of charter schools.
Education
- SB16-188** by Senator(s) Hill; also Representative(s) Williams and Sias--Concerning increasing charter schools' access to resources.
Education
- 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.
State, Veterans, & Military Affairs
- SCR16-006** by Senator(s) Ulibarri; also Representative(s) Melton and Salazar--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning the removal of the exception to the prohibition of slavery and involuntary servitude when used as punishment for persons duly convicted of a crime.
State, Veterans, & Military Affairs

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MESSAGE FROM THE GOVERNOR

April 12, 2016

Colorado Senate
Seventieth General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB16-068: CONCERNING WEARING FLUORESCENT PINK GARMENTS TO HUNT BIG GAME.

Approved April 12, 2016, at 3:31 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

On motion of Majority Leader Scheffel, the Senate adjourned until 9:00 a.m., Wednesday, April 13, 2016.

Approved:

Bill L. Cadman
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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